



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

# FORTY YEARS OF ACTIVE SERVICE

JOHN BROWN'S RAID  
GEN · LEE'S ARMY  
VIRGINIA LEGISLATURE  
LAWYER AND JUDGE  
FEDERAL CONGRESS  
GOVERNOR OF VIRGINIA

P-  
22945

US 6285.25

Harvard College Library



FROM THE GIFT OF

JAMES FORD RHODES

OF BOSTON

FOR BOOKS ON THE SOUTH





**FORTY YEARS OF ACTIVE SERVICE**



# FORTY YEARS OF ACTIVE SERVICE

BEING SOME HISTORY OF THE WAR BETWEEN THE CONFEDERACY AND THE  
UNION AND OF THE EVENTS LEADING UP TO IT, WITH REMINISCENCES  
OF THE STRUGGLE AND ACCOUNTS OF THE AUTHOR'S EXPERIENCES  
OF FOUR YEARS FROM PRIVATE TO LIEUTENANT-COLONEL AND  
ACTING COLONEL IN THE CAVALRY OF THE ARMY OF  
NORTHERN VIRGINIA

ALSO

MUCH OF THE HISTORY OF VIRGINIA AND THE NATION  
IN WHICH THE AUTHOR TOOK PART FOR MANY YEARS  
IN POLITICAL CONVENTIONS AND ON THE HUSTINGS AND  
AS LAWYER, MEMBER OF THE LEGISLATURE OF VIR-  
GINIA, JUDGE, MEMBER OF THE HOUSE OF REPRESENTA-  
TIVES OF THE UNITED STATES AND GOVERNOR OF  
VIRGINIA

BY

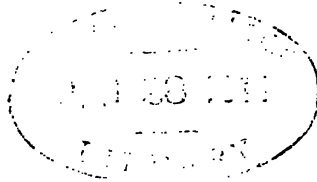
CHARLES T. O'FERRALL

*(Third Thousand)*

NEW YORK AND WASHINGTON  
THE NEALE PUBLISHING COMPANY  
1904



US 6285.25



*Gift of  
James H. Williams*

Copyright, 1904  
By Charles T. O'Ferrall

## CONTENTS.

### PART I.

#### THE WAR BETWEEN THE CONFEDERACY AND THE UNION.

I.	Events Preceding the War .....	11
II.	The Opening of the Great Drama .....	19
III.	First Happenings in the Valley .....	26
IV.	Jackson's Work in the Spring of '62 .....	32
V.	From Cross Keys to Cedar Run .....	41
VI.	Second Battle of Bull Run .....	46
VII.	The Advance into Maryland .....	51
VIII.	Jones's West Virginia Raid .....	57
IX.	Battle of Brandy Station .....	64
X.	Upperville and Incidents .....	70
XI.	Picket and Scout Duty .....	86
XII.	New Market and Piedmont .....	94
XIII.	Lynchburg—Early's Raid to Washington and Return .....	106
XIV.	Battles of Winchester and Fisher's Hill ....	114
XV.	Events in the Valley Toward the End .....	126
XVI.	Anecdotes and Incidents of Service .....	139
XVII.	The Personnel of the Confederate Army ...	147
XVIII.	A Trying Episode After the War .....	155
XIX.	The Horrors of War .....	161
XX.	Conclusions Drawn from the Great Conflict	170

### PART II

#### THE AUTHOR'S OFFICIAL LIFE

I.	Washington College—General Lee .....	181
II.	In the Legislature and on the Bench .....	191
III.	State Politics from 1877 to 1882 .....	208
IV.	The Rise and Fall of Mahone .....	220
V.	From Congress to the Gubernatorial Chair ..	228

VI.	Events of Forty-eighth to Fifty-third Congresses .....	250
VII.	Some Notable Contested Election Cases ....	266
VIII.	Incidents of the Fifty-second Congress ....	279
IX.	The Tariff, Free Silver, Etc. ....	286
X.	The Force Bill—Direct Tax Bill—French Spoliation Claims—the Navy—Patronage .....	299
XI.	Congress a Brainy Body—Some Instances ..	307
XII.	Arthur and Harrison—Grover Cleveland ..	332
XIII.	Bond Issue—Currency Question .....	344
XIV.	Conclusion—President McKinley—General Daniel Morgan .....	354

## INTRODUCTION.

Since my retirement from official life, January the first, eighteen hundred and ninety-eight, I have been often and persistently requested by my Confederate comrades and friends in social, business, and official circles to write my reminiscences of my four years' service as a cavalryman in the Army of Northern Virginia under the command respectively of Beauregard, Johnston, Smith, and Lee, and my many years of official life, as a boy court clerk, member of the legislature, judge, member of the House of Representatives, and Governor of the State of Virginia. Conscious of the time and labor such an undertaking would involve and my inability to fully cover the ground over which I would have to travel, I have refrained. But being still strongly urged I have finally yielded, and shall now endeavor as best I can, plainly and without attempt at rhetoric, to put in print some of my recollections of the occurrences, events, and incidents of the years of war and peace I have mentioned, the former necessarily stirring and the latter more or less exciting and thrilling.

My pen will not be dipped in the ink of gall, nor tipped with malice or injustice. I shall endeavor to give no offense, and if perchance I should do so it will be, as I think, in the interest of truth. I may make mistakes, for it is human to err, but it will give me infinite pleasure to correct them as soon as they are brought to my attention. I shall endeavor to condense and aim at brevity, leaving much still in the store-house of my memory.

Interspersed through the volume will be many stories and anecdotes of both war and official life which may elicit mirth or draw a tear.

The whole will be written in the spirit of a fraternal Union of the two sections of our once divided but now reunited land.



**PART I**  
**THE WAR BETWEEN THE CONFEDER-**  
**ACY AND THE UNION**



## CHAPTER I

### EVENTS PRECEDING THE WAR.

The Cause of the War—John Brown's Raid—Brown's Expectations—Beginning of Secession—The State Convention to Consider the Question of Seceding from the Union—Dates of Different Ordinances of Secession—My Stand and Peculiar Situation—A Brave Mother's Decision.

The war between the States from 1861 to 1865 was the result of a conflict of opinions and interests that developed itself in the very infancy of the American Union, but the match that ignited the fire of secession was struck by John Brown on October 16, 1859, at Harpers Ferry, situated at the junction of the Potomac and Shenandoah rivers, in Jefferson County, Virginia, now West Virginia, where a Federal arsenal and armory were located. I was then a boy of eighteen, and was attending an Agricultural Fair at Winchester.

"The Continentals," an old military company wearing the Continental uniform, was ordered to Harpers Ferry, and I was given permission to join them.

Brown, who had been fighting slavery in Kansas for five years, had suddenly changed his field. He had a few months previous rented a farm with a number of houses on it not far from Harpers Ferry, and there he had his meetings and collected his arms and ammunition sent to him in well-secured boxes from the North.

When everything was ready, as Brown thought, on Sunday night, October 16, 1859, he entered the town of Harpers Ferry and seized the National Arsenal, with its 100,000 to 200,000 stands of arms, and arrested many citizens, among them Colonel Washington and Mr. Alstadt—the former a large farmer and close kinsman of George Washington, and the latter the master armorer of the Federal Armory. The number of men Brown had with him was never known. Most writers have fixed the number at twenty-two—seven-



teen white and five colored, but the citizens of the town always believed there were many more.

Brown openly declared that his object was "to free the slaves," and when one of his guards at the Arsenal gate was asked by what authority they had taken possession of government property, he replied, "By the authority of God Almighty."

But while Brown was in possession of the town, and waiting and hoping for the uprising of the negroes, which he had been assured would occur, he was sealing his doom. He might have escaped that Sunday night, but when the dawn of Monday came his fate was irrevocably fixed. The male residents of Harpers Ferry had recovered from the shock, and began to fire upon the insurrectionists. Very soon militia from Charlestown, the county seat, arrived, and men from the surrounding country, armed with shot-guns and squirrel-rifles, came pouring in, and every available exit was guarded to prevent escape.

In a few hours eight of the insurgents were dead, and four others, three of them mortally wounded, were captives, and Brown, with all of his unhurt men, except Cook and several others, who had escaped during the night, had taken refuge in the Armory engine-house, a brick building standing just inside of the gate to the government grounds.

Monday night, about 10 o'clock or later, a company of ninety United States Marines and two pieces of artillery arrived, under the command of Col. Robert E. Lee, the handsomest man, I thought, I had ever seen. The town was then filled with a seething mass of at least fifteen hundred armed and infuriated Virginians and Marylanders.

At seven o'clock Tuesday morning Lieutenant J. E. B. Stuart, of the United States Army, advanced under flag of truce and demanded Brown's surrender; this he defiantly refused. Instantly a detachment of marines, under the command of Lieutenant Green, rushed upon the building, and using a ladder as a battering-ram, broke in the door, and after all the resistance Brown could offer, brought him and his men out and liberated Colonel Washington, Mr. Alstadt,

and other citizens, who had been held as prisoners from the previous Sunday night.

Brown and four of his followers, including Cook, who was arrested somewhere in the North and extradited, were given quick trials, and on December 2, 1859, expiated their crime on the gallows at Charlestown.

Some writer has said: "Brown actually expected the raid on Harpers Ferry would be the stroke with which Moses called forth water from the rock. The spring was to turn southward and in its swift course to swell to a mighty river. He declared expressly to Governor Wise, and later still in letters, that he had not intended simply to break the chains of a few dozen or a few hundred slaves, and to take them to Canada—emancipation was to be spread farther and farther, and the freedmen were to remain in the Southern States. Heaven itself could not have brought this about unless it had sent the angel of judgment to cast down into the dust the whole white population from Florida to Maine."

This raid aroused the entire South to a realization of the perilous condition of affairs, and she began to prepare for what seemed to be a coming conflict. Volunteer companies were organized and equipped by scores and scores in every Southern State. It also developed the spirit of abolitionism into a most acute and alarming stage.

On December 20, 1860, a little more than one year after Brown's execution, South Carolina seceded, and this was the opening of the sad drama which grew fiercer and fiercer, sadder and sadder, as it was played, until the curtain fell upon it at Appomattox.

The Winchester company with which I went to Harpers Ferry arrived too late to do any fighting. We were marched from Halltown to the upper end of the Armory grounds, after nightfall, and there we were told that some of the insurgents were hiding among the buildings. So we were thrown into a skirmish line and with our guns at port and thumb on hammer and finger on trigger, we moved through the grounds, Mr. Thomas T. Fauntleroy—late a judge of the Supreme Court of Appeals of Virginia—and I march-


ing side by side, expecting every moment to flush an insurgent; but there were none to be flushed—all that had not escaped or been killed or captured were with their fanatic leader in the engine-house.

It is a significant fact that although Brown's expressed purpose was the liberation of the slaves, and he had proclaimed himself the special friend and benefactor of the negro, his first victim at Harpers Ferry was a negro. This man was a railroad watchman, and upon his refusal to turn over certain keys in his possession he was instantly killed. So the first blood shed upon Virginia soil by this boasted negro liberator was the blood of a faithful negro—shed because he refused to betray a trust.

With deliberation and in cold blood, Brown with his own hand shot to death the mayor of the town from a port-hole in the engine-house, known in after years as "Brown's Fort."

Among the military companies formed in Virginia after this incursion was the "Richardson Artillery," named in honor of General Richardson, then the Adjutant-General of the State, organized at my home, Berkeley Springs, Morgan County, and I was elected third lieutenant. Instead, however, of being supplied with artillery equipment, we were furnished with small-arms, most of them of an inferior and antiquated kind. While Brown and his living co-insurgents were in jail in Charlestown awaiting trial, rumors that an attempt would be made by Northern sympathizers to rescue them were rife, and my company was put on guard duty at a crossing of the Potomac River, above Harpers Ferry, and we remained there until the executions had taken place. We were of course very vigilant, but no Northerners ever came, and we never had an opportunity to fire a shot at an enemy or to win a spangle of glory.

When this outrage upon her law and the peace and safety of her homes occurred Virginia was united in her execration of the horrible deed, and her people were clamorous for the meting out of the death penalty upon every surviving insurrectionist; there was not a Virginian who would not



willingly have put the rope around the neck of every one of them. But the vindication of the law and the punishment of arch-violators proved very soon to be one thing and secession entirely another, particularly with a vast number of the men who lived in the border counties of the State.

South Carolina seceded, as I have said, December 20, 1860, and the excitement became intense in Virginia. Public opinion was divided on the question of secession. On January 7, 1861, Virginia's Legislature was convened in extra session, and subsequently provided for the assembling of a convention to determine what course Virginia should pursue. It passed resolutions recommending the Southern States to appoint commissioners to a National Peace Convention to be held in Washington at an early day, "for the purpose of adjusting the present unhappy controversies in the spirit in which the Constitution was originally framed." The legislature also appointed ex-President John Tyler a commissioner to the President of the United States, and Judge John Robertson to South Carolina and "the other States that have seceded or shall secede, with instructions respectfully to request the President of the United States and the authorities of such States to agree to abstain, pending the proceedings contemplated by the action of this general assembly, from any and all acts calculated to produce a collision of arms between the States and the Government of the United States."

President Buchanan replied that he possessed no power to enter into such an agreement. The legislature, pending a reply from the President, made an appropriation of \$1,000,000 for the defense of the State. In the meantime hostilities had begun in South Carolina, and Fort Sumter was virtually in a state of siege. On February 13 the State Convention met in the city of Richmond. The delegates were divided—some were "conditional" Unionists, a few favored immediate secession, and the residue were "unconditional" Unionists. The first class were, however, in the majority. On or about March 10 a report was submitted by a majority of the Committee on Federal Relations, composed of four-

teen resolutions, condemning the interference with slavery, asserting the right of secession, and defining the circumstances under which Virginia could justifiably sever her connection with the Union; which were the failure to secure guarantees from the Northern States that her institutions would not be interfered with, and assurances from the general Government that coercive measures against any of the Southern States would not be resorted to and that customs duties would not be demanded of the States that had seceded, and no attempt made to reinforce or recapture Southern forts. The discussion of the resolutions was animated, indeed warm, but they were nearly all adopted when Fort Sumter fell and the President's proclamation calling for troops to subjugate the seceding States was issued. This closed the discussion, and almost instantly an ordinance of secession was passed by a vote of eighty-eight ayes to fifty-five nays. On the fourth Tuesday in May the ordinance was submitted to the qualified voters of the State,—that is, all white men over twenty-one years of age, not ex-convicts, idiots, or paupers,—and it was ratified by a vote of 128,789 “for” to 32,031 “against” it.

The following States besides South Carolina had preceded Virginia in passing ordinances of secession: Mississippi, January 9; Florida, January 10; Alabama, January 11; Georgia, January 19; Louisiana, January 26; Texas, February 1; and following Virginia came Arkansas, May 6; North Carolina, May 21, and Tennessee, June 8. Then the eleven States which constituted the Confederacy had solemnly covenanted to link their fortunes together in a common cause and desperate purpose to sever the Union of the Fathers and maintain a separate nationality against the combined powers of the other States with their unlimited resources, overwhelming numbers, and all foreign lands from which to recruit.

At the election in my home county for a delegate to the State Convention there were three candidates—one was a “conditional” Union man, another an “unconditional” Union man, and the third was a secessionist per se. The

first, Johnson Orrick, closely pressed by the second, was elected, while the third had only a few supporters.

My delegate stood out in the convention against secession as long as there was a spark of hope that war could be averted; but that spark was extinguished by the call for troops to subdue and conquer Virginia's sister Southern States, and he promptly voted for and appended his signature to the Ordinance of Secession.

While the convention was in session the border and northwestern counties were in a state of great excitement. Fathers were arraying themselves against sons, and sons against fathers, and brothers against brothers, and kinsmen against kinsmen, and friends against friends, and families against families. When the Morgan County delegate returned from the convention there were few to do him honor; the Union sentiment had grown into mighty proportions during his absence; many who had voted for him were the loudest in their condemnation, while those who had opposed his election heaped their anathemas upon his head. He soon joined the army, and in 1863 testified with his blood his loyalty to his convictions, and now rests in an honored soldier's grave.

When Virginia passed her ordinance of secession I took my stand with her and the South. I was peculiarly situated; my mother was a widow of small means, and had two sons and three daughters. I was the eldest, my brother being a mere lad. When seventeen years of age I had been elected clerk of the County Court, and this enabled me to contribute to the support of my mother's family.

I was not liable to military service, as my office exempted me; but I felt that my duty to country should prompt me to enlist in the ranks of her defenders, and then the thought of leaving my mother to struggle unaided would dampen my ardor, and for days there was a conflict going on in my bosom. Country or mother! Which shall I serve? I was depressed and down-hearted. Finally I determined to refer the matter to my mother, so one evening in the early part of May,

"When the sun's last rays were fading  
Into twilight soft and dim,"

as we sat talking about the war, for that was the general topic of every conversation, I told her of my trouble and of the conflict in my breast. She replied at once that she had no other thought than that I would join the Confederate Army; that I was the only prop upon which she could lean, and she would miss me very much, but the South needed every man and every boy able to bear arms, and the hardships to her would be no greater than to many other mothers. God would sustain her in her struggle, and while her heart almost sank within her at the thought of the dangers to which I would be exposed, she could not bear the idea of her son staying at home when Virginia was calling for all her sons.

I do not undertake to give her language literally, only substantially; but I do give exactly her concluding words. They were: "My son, I think you should join the army at once, and while I hope you will not be reckless or expose yourself unnecessarily, I want you to do your duty." This settled matters, and on the 11th day of May, with a single comrade from the town, George W. Hunter, I bade all good-by and rode away with a company of mounted men under the command of Hon. Henry Edmundson, who had represented the Southwestern District of Virginia in the Congress of the United States.

This company was armed with shotguns, mostly double-barrelled, with here and there a brace of old single-barrel horse-pistols carried in holsters strapped across the front of the saddle.

## CHAPTER II

### THE OPENING OF THE GREAT DRAMA.

**My Home in West Virginia—Unique Rules and Regulations of a Hotel in 1814—Berkeley Springs—"Sergeant O'Ferrall"—Summoned to Testify in Court-Martial Proceedings Against an Old Friend—A Brave Old Man.**

The home I left was known as the "O'Ferrall House," a summer hotel at Berkeley Springs, Morgan County, Virginia, now West Virginia, and was two and a half miles from the Potomac River and only six miles from the Mason and Dixon line. It had descended from my grandfather, its builder, through my grandmother to my father, and had been purchased by my mother at the death of my father. In the latter part of the eighteenth and the early half of the nineteenth century Berkeley Springs was a popular health resort. It was among the gayest, most attractive, and fashionable summer retreats of the South. There social ties were formed, friendships cemented, politics discussed, party plans determined, and matters of state considered by grave and distinguished men. It was the summer home of George Washington, and the roof of the O'Ferrall House covered the heads of many of the first men of the land. It was conducted under rules which would be regarded as out of date these days. The bar and office were kept in one room, and the barkeeper and clerk were one and the same person. There was absolute regularity in the meal hours, and the time for eating was by no means unnecessarily long. The gayety of the evenings—which consisted principally of dancing, always concluding with the old Virginia Reel—commenced at 9 o'clock and ended not later than 12 o'clock. A few years ago I visited this old home of my youth and budding manhood, and I was shown by the proprietor the "Rules and Regulations of the O'Ferrall House" in the summer of 1814. They had been found in the garret, tacked on a board.



They were interesting, and in comparison with the hotel rules and regulations of modern times peculiar, as will be seen. I here give them as near as possible.

Rule 1.—Guests will be charged for shaving and dressing, unless they notify the barkeeper on their arrival that they shave and dress themselves.

In those days the barbers were slaves and received no money from guests for their services, so unless the guest on his arrival notified the barkeeper that he shaved himself, powdered his own hair, brushed his own clothes, and polished his own knee-buckles, when he came to settle his bill he was charged with the barber's services.

Rule 2.—Meals will be served as follows: Breakfast from 7.30 to 9 o'clock. Dinner from 1 to 2.30. Supper from 7 to 8. Ladies will enter first and take the seats set apart for them. Gentlemen will then enter and take the seats set apart for them, and they will be expected to conduct themselves like gentlemen.

The custom was to put cards on the plates, each card bearing the name of a lady or gentleman, like the banquet style of the present day. But what struck me as most remarkable was the admonition to the gentlemen. What would be thought of such a thing these days? Yet we have been taught that our present chivalry of the South does not surpass, if it equals, the chivalry of our grandfathers or great-grandfathers.

Rule 3.—At 9 o'clock the Ball-Room will be thrown open and guests who desire to engage in festivity will please commence early, as the servants cannot be kept up late.

This exhibited much care and consideration for the comfort and health of the servants, who were then chattels and had a money value.

The waters of Berkeley Springs, formerly called Warm Springs, because their temperature was 74 degrees Fahrenheit, were regarded as exceedingly efficacious in cases of rheumatism and kindred troubles; and on account of their curative qualities, tradition tells us, the place was neutral ground in Indian days, all tribes laying aside their tomahawks and dispensing with their war paint when they

camped at this fountain of health. Lord Fairfax, to whom the King of England had ceded an immense body of land and who established his home in Frederick County at Greenway Court, granted to the State of Virginia fifty acres, I think, of land, which included these springs, and being in Berkeley County they took the name of Berkeley Springs. Prior to 1800 a town was laid out and chartered by the name of Bath. In 1820 Morgan County, named in honor of General Daniel Morgan, was formed from the Counties of Berkeley and Hampshire. Lots were sold, and hotels, boarding houses, and private residences were built. Among the purchasers was George Washington, and at Mount Vernon his deed for his "Berkeley Springs" lot can now be seen, framed and under glass. His summer home was torn down about sixty years ago, I have been told. I give these facts because of my love for the home of the halcyon days of my youth, around which cluster sacred memories, and the interest that surrounds the old place at the present time.

When I joined Edmundson's cavalry and with it rode away from my home with my face southward, the people of the town generally condemned me, and one extremely bitter Unionist yelled at me, "You will not do the d—— rebels much good; you will be back soon to your mother; a few days' camp-life and hardship will settle you." I was apparently delicate, and he predicted that I would not stand the service long. How much of a prophet he was will hereafter appear. Little did I think when I parted with my mother, sisters, and brother that this home would be but a name and memory to me from that day forward, and yet such it became. But once while the old homestead remained the property of my mother, which was more than five years after I bade it good-by, did I cross the portals of "home, sweet home." This was in December, 1861, on Stonewall Jackson's march from Winchester to the hills opposite Hancock, Maryland, and thence to Romney, when the sufferings of his army from the biting, freezing winter weather were hardly surpassed by the patriots of 1776 at Valley Forge.

Upon reaching Winchester with Edmundson's cavalry I was offered the position of second sergeant in a company

that was in course of formation, which I accepted, and became "Sergeant O'Ferrall."

Soon after this, I heard of the arrest of a venerable and highly-esteemed citizen of my home town. For many years there had lived at Berkeley Springs Colonel John Strother, a distinguished member of the large Virginia family by that name, and the father of David H. Strother, who under the nom de plume of "Porte Crayon" was the author of "Virginia Illustrated," copies of which can now be found in the libraries of old Virginia families, each worth more than its weight in gold—in fact, priceless.

Colonel Strother was the proprietor of the "Strother House," a large summer hotel. He had been a colonel in the war of 1812, and had won glory in this second struggle for American Independence; he was as courtly a gentleman as any knight of old, and he was as gentle in manner and as tolerant of others' views as it was possible for any man to be who had convictions and the courage of them. His heart was always open to the cries of the afflicted and needy, and he gave freely of his substance to every call of charity. He was honored by all and beloved by myriads.

When war clouds began to gather and the heavens to become murky, betokening a storm which would wreck and destroy, as he believed, "the grand fabric of government which he had fought to maintain," he was greatly troubled, and took his stand on the side of the Union and against secession. His influence was felt in the community, and many, following his example, took the same stand.

Suddenly one night in the early summer of 1861, without a moment's notice, a company of Confederate cavalry rode into the town and proceeded immediately to the "Strother House" and surrounded it. The officer in command dismounted and demanded admittance. Colonel Strother himself opened the door, and he was at once put under arrest and as quickly as possible carried away, without a single word of explanation from the officer except, "We have been ordered to arrest you and take you to Winchester."

Some days after the arrest I was ordered to appear before a court martial at the cavalry camp near Winchester, "to testify against Colonel Strother." I obeyed the order and reported, wondering all the time what the charges could be, and what I could testify to against this man, who in my estimation was incapable of doing a wrong. I found the court martial in session and Colonel Strother sitting in the tent under guard. I was called and sworn, and these questions propounded to me:

First: "Do you know Colonel John Strother, and if so how long have you known him?"

I replied: "Yes, I know Colonel Strother, and have known him ever since I have been old enough to know any body."

Second: "How have you regarded him—a Union man or Southern man?" It then flashed upon my mind that he was being tried for disloyalty to the South, and being young and not knowing what the consequence of a conviction might be, I hesitated. I was instantly admonished that I must answer the question and do so promptly.

I replied: "I have regarded him as favoring the Union and opposing secession. "All right," said my interlocutor.

Third: "State whether Colonel Strother has been active in manufacturing Union sentiment, and whether he endeavored to induce you and other young men to stay out of the Confederate Army?"

Before I could answer the question Colonel Strother said: "Mr. President and gentlemen—I can see that the appearance of this young man as a witness against me is not pleasant to him. I have known him from his cradle; he has grown up under my eye and I have always been his friend and was his father's friend before him, and when his father died I supported this boy for the clerkship of the court, which he gave up when he joined the Confederate Army. I hope you will let me relieve him of his embarrassment by answering your questions myself. Will you?" The President nodded his head, at the same time saying, "We will hear you, but we may desire to examine this young man further." Colonel Strother thanked the President, and re-

sumed: "Mr. President and gentlemen—I am now and have been since our unfortunate troubles began in favor of maintaining the Union and opposed to secession. I have believed and believe now, that the South is engaging in an unjustifiable effort to destroy the Union, and which will, as sure as fate, result in the direst consequences to her. With this belief deeply rooted in me, I have felt it my duty to influence my friends and neighbors in favor of the Union as far as I could, and my advice to this young man, and all others who like him were inclined to join the Confederate Army, was to keep out. How far my influence and advice have been effective, I know not, except I know that he did not heed my advice."

Then, rising from his seat, he surveyed the surrounding field with his eye flashing, and said: "In the war of 1812 my regiment, with me in command, encamped in this very field. I was then engaged in defending the honor and glory of my country. Now, about fifty years later, I am being tried, as I understand, for treason. Yes, treason to a government which has set itself up to pull down and destroy the pillars of the government for which I then fought and was ready to die. Treason! I thank you, gentlemen. Proceed, please, with your trial."

Colonel Strother was slow and deliberate in his speech, and on this occasion more so than I had ever heard him. He seemed to weigh every word before uttering it, and then emphasized it as it came from his lips. After the Colonel had admitted all that was charged against him, there was nothing left for the court martial to do but to come to their conclusion and report their findings. What further action they took than that which I have related, I never heard; but some days after the Colonel had cut the proceedings short by admitting the charges against him he was released and permitted to return to his home, but from the night of his arrest until the day of his release he had been kept under close guard and under the eye of a sentinel on post.

I have given as near as I can remember, after more than forty years, all that was done and said in that tent where the court martial sat on that bright summer day. The

scene was indelibly impressed upon my memory, and I have related, if not verbatim, substantially word for word, what was said by the principal actors. I have not the gift of language to depict the scene as it deserves. It was indeed worthy of an orator's tongue and a master's brush. Colonel Strother, who was then approaching four score years, did not live to see the result he predicted.

I have always regarded the arrest, confinement, and treatment of this hoary-headed, decrepit, yet superb and grand man as an outrage upon the instincts of humanity and a shame and disgrace to the Confederate officer who was responsible for it. It smacked more of the days of the Inquisition than the enlightened days of the middle of the nineteenth century. He was a private citizen, holding no official position, who had simply and solely, at his home and among his neighbors and friends, expressed his honest convictions as to the issues between the North and the South. He had committed no overt act; he had not raised his hand against the Confederacy; he had not taken steps to arrest young men as they rode away under his eye to enlist in the Confederate Army; he had not furnished money or supplies to the Union. He had done absolutely nothing but express his views upon a momentous question upon which his people were more or less divided and which was being freely discussed by them. His advanced age, his weak physical condition, his military service, his honorable life and his lofty standing all counted for nothing; he was a Union man and had been expressing Union sentiments. That was enough, he must be torn from his home in the dead hours of night, "When ban dogs howl, and spirits walk and ghosts give up their graves," and carried on horseback thirty-six miles over rough roads, to appear before a court martial to be tried upon the heinous charge of treason, put in confinement or under close guard—humiliated and degraded. Confederate from "crown to sole" as I was, I condemned the act when it was done, and now with the wrinkles that the intervening time has traced upon my brow I condemn it still.

## CHAPTER III

### FIRST HAPPENINGS IN THE VALLEY.

In Shenandoah Valley on Scout and Picket Duty—Battle of Kernstown—An Incident of Picket Duty—A Single-Handed Capture—I Become a Lieutenant and then a Captain—Some Captures and a "Retrograde" Movement—General Turner Ashby—We Note an Improvement in the Federal Cavalry—Wyndham Strikes a Snag.

I remained a second sergeant until the spring of 1862. During all this time I was in the Shenandoah Valley engaged in picket and scout duty, and participated in numerous fights and skirmishes, receiving one wound which disabled me for several weeks. In March, 1862, the Battle of Kernstown, between Jackson and Shields, was fought, resulting in Jackson successfully meeting the vastly superior Federal force under Shields, and then quietly and in perfect order falling back up the Valley. The night before this battle my company was put on picket on the Valley Turnpike. Our videttes were stationed at the southern end of Kernstown, and I was placed in command of them. The fires of the Federal videttes could be seen at the northern end of the village.

About ten o'clock Captain George Sheets, of a Hampshire cavalry company, rode down to my post, and asked me if I was well mounted. I replied that I was. He suggested that he and I make a dash at the Federal outpost and see if we could not capture it. I remarked that there were probably too many of them for two of us to tackle, but he said that as the night was dark and the wind blowing toward us, by riding on the unmacadamized part of the road we could get close to the post and surprise it, and he thought we could risk it. I replied, "all right," and we started.

Slowly, cautiously, and as noiselessly as possible we rode, until we were within less than one hundred and fifty yards of the pickets, when we gave our horses the spur and dashed

upon them. There were five of them, and they were surprised. All sprang into their saddles, fired and fled, but we caught two of them, one each, the others escaping.

This little incident, though unimportant, taught me a lesson; it taught me that success in cavalry comes through boldness and dash, and that surprise, particularly at night, will generally demoralize the best soldiers. In this instance two of us made five run, and we took two of them prisoners. I profited by the lesson taught me by Captain Sheets, and many a similar dash did I make thereafter, with more or less success.

I was not in the Battle of Kernstown the next day. My company was sent on a scout into Clarke County. Between Millwood and Berryville the company halted for a rest, but I rode on for the purpose of seeing some friends who lived about a mile farther down the road. After riding perhaps half the distance, at a quick turn in the road I came unexpectedly upon a Federal army wagon with a single mounted man with it. Instantly I drew my pistol, dashed upon him, and called upon him to surrender; being entirely surprised, with no opportunity to defend himself, he surrendered. He was a Lieutenant Luce, an army engineer, and as well as I remember a New Yorker. Not dreaming there were any Confederates within many miles of Berryville, he was out measuring certain distances with a cyclo-meter. He was mounted on a fine bay horse. He was very much chagrined and mortified at his capture, and said: "You took me by surprise; now give me a chance to escape. I will give you a hundred dollars if you will let me get a hundred yards away from you without firing on me. Then you may shoot or catch me, if you can." I replied: "Lieutenant, you must have great faith in the speed of your horse, and you can't think I am a pistol shot. Now, I am riding a good horse, and I shoot right well." To this he rejoined: "However fast your horse may be, or however well you may shoot, I will give you the hundred dollars if you will give me the start I ask; I will take the chances."



He put his hand in his pocket, thinking, I suppose, I would take his money and give him a chance to escape, when I said: "Take your hand out of your pocket and do it instantly. You place a very poor estimate upon a Confederate soldier. I want you to understand that money can't buy him. You and your wagon will come along with me." So I turned back and soon delivered to my captain two prisoners,—the lieutenant and his driver,—three horses, and a wagon. I made a trade later with the regimental quartermaster for the lieutenant's horse, but while he was as swift as the wind for about six hundred yards, he was not good for a long chase, and I finally disposed of him.

In April, 1862, I was elected first lieutenant in a company which soon became Company I of the Twelfth Virginia Cavalry, with Thomas B. Massie, of Warren County, as its captain, and in August following Captain Massie was made major of the regiment, as he richly deserved, for he was a gallant officer, and I succeeded him as captain.

The morning after my promotion I was sent on a scout from our camp at Harrisonburg to observe the movements of a cavalry force reported to be moving through Rappahannock County in the direction of Swift Run Gap in the Blue Ridge. When we reached Conrad's store at the western entrance to the gap, we learned that a full regiment of Federal cavalry had just passed, heading northward, down the Page or Luray Valley; that they recognized the fact they were in a dangerous section and were moving rapidly. I determined to follow them, strike their rear, and make some captures if possible; so we started after them and within about two miles we overtook and charged them and captured some prisoners. We continued to annoy them, but it was not long before they discovered our force was small, and they turned on us and we had to make one of General Wise's retrograde movements. In the early part of the war General Wise was compelled to retire pretty rapidly before a force much larger than his, from a point in West Virginia. A soldier asked him why he was retreating. The General replied, "This isn't a retreat; it is only

a retrograde movement." The soldier said, "Well, General, you may call it that, but it looks to me like a retreat, and a pretty fast one too." The Federal cavalry did not pursue us fast or far; they soon turned about and continued their march down the Page Valley. The next morning we returned to our camp at Harrisonburg, and I delivered our prisoners and made my first report as a captain.

The behavior of my men that day gave me absolute confidence in them, which was never weakened, but constantly strengthened from that time until I was promoted in the June following, after receiving a lung wound at Upperville, supposed to be mortal, while commanding the first squadron of the regiment.

From May, 1861, until June, 1862, it was my high privilege and distinction to serve under that Prince of cavalry leaders—that Chevalier Bayard of the South—that Marshall Ney of the Confederacy, General Turner Ashby. To picture him just as I knew him, to present his deeds just as I saw or heard of them, would be impossible—my command of language, my powers of description would be totally inadequate. He was truly one of the most consummate geniuses the war produced. Had he lived he would to-day shine on historic pages with as much brilliancy as Forrest. He was a native and resident of Fauquier County—a farmer, a superb horseman, a great fox-hunter. He was small of stature, his complexion dark and swarthy, his hair and long flowing beard as black as a raven's wing; his eyes were black, soft and gentle in repose, fierce and piercing when he was stirred or animated. He was as sweet and amiable in disposition as any woman; genial and companionable.

Turner Ashby was as fearless as a lion, and like the king of the forest he never stopped to count the enemies he was to encounter. He was the idol of his men, and they would have followed his plume into the very jaws of death without faltering. His judgment as to the intentions of the enemy seemed to be unerring. He was never surprised by them, but was constantly taking them by surprise. He was never

defeated; he was never routed; he never retreated in disorder. He was ever in the front on an advance; ever in the rear on a retreat. In cavalry it is all in the dash, in the charge, and Ashby recognized this at the very commencement and taught his men by precept and example that cavalry success depended upon it. He would charge the head of a regiment in a lane or in a defile with ten men as quickly as with a brigade; strike his blow and retire before the enemy recovered from the effects of his audacity.

He was a terror to our foes; his name itself demoralized them. I have not the space to speak of his achievements at length. To do so would require many pages. God in His Infinite Wisdom withdrew him from us in June, 1862. For one short year only did he serve the land he loved so well, but in this brief period he wrote his name in skies immortal and chiselled it so deep upon tablets that it will never be effaced.

We had found it an easy task to meet and rout the enemy's cavalry. As a rule their cavalry were indifferent riders and poor shots; ours were trained in horsemanship and were generally good with the carbine and pistol.

In the early spring of 1862 there was great improvement in the Federal cavalry; they were better horsemen, better shots; they had more vim and dash. During the preceding winter the Federal Government had been directing its attention to the cavalry arm and selecting men for that service. So when the campaign opened in the spring, and after the routing of Banks they advanced under Fremont, we found their cavalry entirely different from what it had been. It was showing improved leadership. We could well see that it was being handled by a skilled, dashing, and fearless officer, and that we would not have as easy work in meeting it as usual. This fact cast no damper upon Ashby's men, and so far as Ashby himself was concerned I really believe he was gratified at the improvement of the cavalry he had to meet and fight.

It was not long before we learned that the new Federal cavalry commander was Sir Percy Wyndham, an English

army officer who had come across the "Pond" and tendered his services to the Federal authorities, and had requested to be assigned to the command of the cavalry in the Shenandoah Valley, promising "to capture Ashby and bag his men." His services were accepted and his request was granted, and Ashby and his men were to meet and grapple with the cavalry in blue under the leadership of a vigorous, brave, and ambitious officer in the prime of manhood, bent on capturing Ashby and bagging his men. As I have said, this did not frighten or dampen the ardor of Ashby and his men, but it acted as an inspiration to them to greater deeds and grander achievements.

On from the banks of the Potomac came the spirited Wyndham, every movement showing vigor and determination. Up the classic valley he moved, until finally he struck the object he was seeking, and then he struck "a snag" and had his first lesson in fighting Southern cavalry. This did not daunt him, however, but seemed to drive him to recklessness.

Here I shall leave Wyndham for the present.

## CHAPTER IV.

### JACKSON'S WORK IN THE SPRING OF '62.

A Drawn Battle with Milroy—Jackson Hot After Milroy—One of "Stonewall's" Prayer-Meetings—The Rout of Banks—Jackson Between Two Federal Forces—His Masterly Strategy—Ashby *versus* Wyndham—Wyndham Captured and we Become Jubilant—Our Hilarity Turned to the Deepest Mourning Over the Death of Ashby—Who "Bagged" Wyndham?

In the spring of 1862 Milroy's army was at McDowell, in Highland County, and in their front was General Edward Johnson's command. Jackson moved from Conrad's store in Rockingham County with his old division to reinforce Johnson, taking with him four cavalry companies, mine among them. Johnson, however, did not wait for Jackson, but attacked Milroy, resulting in a drawn battle and severe Confederate loss. Our four companies of cavalry reached the eastern base of the McDowell Mountain the night after the battle, and met Johnson's army moving down the mountain to go into camp. It was there that I met for the first time that courtly man and distinguished soldier,—the hero of two wars, the Mexican and Confederate,—General Wm. B. Taliaferro. He had been in the thickest of the fray of the day. Our cavalry in moving up the mountain was annoying the tired and worn infantry who were moving down. General Taliaferro noticing this, pointed out to me a way which would lead us around his column, and he did this in the most courteous and delightful manner. In after life I had the satisfaction of knowing him well and counting him among my best friends. No braver man ever drew blade for any land; no more loyal soldier did Virginia ever produce.

During the night after the McDowell battle Milroy commenced to retreat in the direction of Franklin, the county-seat of Pendleton County. At the break of day Jackson, sending the cavalry forward in hot pursuit, followed with all the infantry and artillery.

Milroy had learned that Jackson had arrived, and he was making tracks as fast as possible to avoid an engagement with him, felling trees and firing the woods as he passed along. The cavalry under the command of the gallant Captain Sheets, of Hampshire, had great difficulty in pursuing over the narrow mountain road and through the burning woods, but we finally succeeded in catching up with the rear of the scurrying, frightened, and demoralized army, and we made it warm for them from there to Franklin.

Jackson's infantry and artillery reached Franklin on the morning of the second day after the Battle of McDowell. They were halted in the meadows west, or rather southwest, of the town. It was Sunday, and about noon, or perhaps a little before, I observed a gathering of Confederate soldiers under some trees on the banks of a creek whose cool and crystal waters coursed through green meadows. Approaching the gathering I soon discovered it was a prayer-meeting. I dismounted, tied my horse to a convenient limb, and made my way to the group of perhaps fifty soldiers. As I neared the place I saw Jackson, cap in hand and with bowed head, standing in the midst of the men, while some soldier was engaged in earnest prayer. It was Jackson's prayer-meeting. After the meeting was over I returned to my horse, mounted him, and rode to the camp of my company.

Jackson pursued Milroy no farther, and that evening his army commenced to quietly creep away. He returned rapidly to the Valley, and moving with quick strides down it, surprised Banks at Middletown, striking his flank and playing havoc and destruction with his army. It was on this rapid march down the Valley that the gallant Sheets, who as senior captain had commanded the cavalry on the march to Franklin, yielded up his life at Buckton Station, Warren County. He was a most promising young officer, —none more so in the cavalry,—and if he had lived a little while longer stars instead of bars would have adorned his collar, and the historian would have revelled in his deeds and achievements.

The rout of Banks surpassed in many respects anything of the kind I saw during the war. It begged description. Pell-mell, helter-skelter, without check, without any effort to rally or form, the retreating mass of men, horses, artillery and wagons rushed down the Valley Turnpike, everything going at breakneck speed, while Ashby with his cavalry, with carbine, pistol and sabre, was dealing death in their ranks, and crippling and capturing men every rod between every mile post.

Banks's flying and demoralized soldiers hardly stopped to catch their breath until they had crossed the Potomac at Shepherdstown, a distance of quite forty miles from Middletown, where Jackson first struck them. Jackson followed with his army to the banks of the Potomac.

While Jackson was thus disposing of Banks's army, General Shields was lying at Fredericksburg on the east, and General Fremont was at Romney on the west of the Valley, and hearing of Banks's fate and that Jackson was still moving down the Valley, they both headed their armies for Strasburg with a view, it was supposed, of cutting off Jackson and capturing his army.

The force of each was as large as Jackson's army. They moved rapidly and could easily have formed a junction at Strasburg, while Jackson was many miles below and north of them; but they halted—Shields eight miles east and Fremont six miles west of Strasburg.

"Stonewall," hearing that these two armies were in his rear and knowing they could readily form a junction and be thrown across his only way to reach the upper Valley, hurried his army southward, and without halting moved through the gap between Shields's and Fremont's armies without the slightest hindrance from either, and without even the firing of a shot, except a little skirmish a flanking party which he had thrown out had with the advance of Fremont's army several miles west of Strasburg at Cotton Town.

I believe the history of the world's wars will be searched in vain for such an instance of stern audacity and abiding

faith in his army upon the part of a commander as that of Jackson, or such an instance of cowering recognition of the prowess of the opposing army and superiority of the opposing general as that displayed by Shields and Fremont (both personally brave) at Strasburg in May, 1862.

As soon as Jackson's army had passed through the gap between the two Federal armies, Fremont closed in on his rear, while Shields moved up the Luray Valley on a parallel line with Jackson. The Federal cavalry, greatly improved, and under a commander of more than ordinary energy and daring, commenced to dog our rear. So I shall now take up Sir Percy Wyndham from where I left him, for it was he who was at the head of the cavalry of Fremont's army. From Strasburg to Mount Jackson, a distance of twenty-four miles, there was no space of a hundred yards on the Valley Turnpike that was not the scene of cavalry fighting,—stubborn fighting, charge and counter-charge, repulse and rally,—in which the carbine and pistol were killing and maiming and disabling. However, our cavalry under Ashby was constantly showing its superiority over its mounted foe. Finally Mount Jackson was reached, and then came the supreme test of the strength and daring, dash and prowess of the Federal and Confederate cavalry under Wyndham and Ashby.

Passing through Mount Jackson in perfect order, Ashby led his brigade across the bridge spanning the north branch of the Shenandoah River into the broad meadows known as Meem's bottoms, and there he prepared to meet the entire Federal cavalry force. A more ideal place for a large cavalry engagement could not have been found or desired. It was a broad sweep of hundreds of acres of level ground, upon which luxuriant crops of wheat and corn and grass had grown for scores of years; there were no fences to interfere and nothing to retard a charge, except an occasional ditch which could be cleared easily.


Forming his men about half a mile from the river, Ashby awaited Wyndham's advance. The wait was not long. On came the Federal cavalry in handsome style, flags flying



and bugles sounding. Into line the regiments galloped, and when all were ready the command "forward" was given; instantly a similar command rang down the Confederate lines, then "trot," then "gallop," and then about the same instant the command "charge" was heard from both sides, and the moment was at hand for the supreme test. Not a Confederate wavered, and with the rebel yell, once heard never forgotten, Ashby's cavalry with the force of a hurricane swept upon Wyndham's charging line. The struggle was brief; the Federals gave away, and while they kept up a running fire, they were driven before the Confederates, and victory perched upon Ashby's banner. Our loss was slight; the enemy's was severe in killed, wounded and prisoners.

It was in this fight that Ashby's famous Arabian horse received a wound from which he died a few hours thereafter. The horse was of medium size, with keen and perfect limbs, long, flowing mane and tail, splendid neck and head, and taking him all in all a perfect model. He was as white as snow and as brave as his master and rider, and that means as brave as brave could be. There is as much in the bravery of horses as in the bravery of men. Some horses are brave and some are cowardly, just as some men are brave and some cowardly. This horse was shot through his body just behind the saddle girth. After he was shot, with his head and tail up, his nostrils distended, his eye flashing, and his blood trickling down and crimsoning his white sides, he carried his master to a place of safety.

When Ashby dismounted he looked upon his noble friend; he saw that the splendid animal was mortally wounded, and with every indication of the deepest emotion and affection, he turned him over to a soldier, and mounting another steed returned to the front. The horse was slowly led up the Valley Pike, and about a half mile above New Market he fell on the road-side and died. Instantly his mane and tail were taken by soldiers, and later his bones, and all were made into trinkets, emblems, and keepsakes, some of which were given to me and are now in my possession.



Wyndham's reverse at Mount Jackson did not have the effect of discouraging him. The next morning bright and early he was on our heels as Jackson's army, with Ashby's cavalry covering its rear, resumed its retiring march. He kept close up and harrassed us not a little, and the penalty of straggling was capture.

On the afternoon of Friday, June 6, 1862, our army passed through Harrisonburg, and about a mile south of the town it turned eastward and moved in the direction of Cross Keys and Port Republic.

When we had gone about a mile, Wyndham made a dash with his cavalry; our brigade, under the command of Colonel Thomas T. Munford, of the Second Regiment, and ranking officer, met his charge, Ashby having left us, why or for what purpose we did not then know. We repulsed and routed Wyndham's men again and captured Wyndham himself.

While we were engaged with Wyndham we heard heavy infantry firing on our right and not far off. Our practised ears told us that it was a stiff fight.

Soon after repulsing and capturing Wyndham and driving his men some distance, it being late, we were ordered to move on toward Cross Keys and seek camping places for the night. We were all in high glee and spirits; we had met and defeated the Federal cavalry in two pitched engagements in square fights of cavalry against cavalry; we had Wyndham a captive in our hands—we were jubilant.

Suddenly there was a lull in the hilarity at the head of the column, and along down the column it extended, as the word passed from regiment to regiment and from company to company that Ashby was killed. No tongue can describe, no language can paint the effect upon his devoted men. Their hilarity was turned into mourning—mourning terrible; tears flowed in streams from eyes of the sternest men; moans deep came from the stoutest hearts. That night every camp was the scene of unspeakable distress—there was no sleep, no rest, the sorrow was too intense for eyelids to close, or nature, however worn, to seek relief in the arms of Morpheus.

Never in the tide of time did any commander have a firmer hold upon the affection and confidence of his men than Ashby, and no commander whose name has ever glittered in the firmament of fame deserved it more than the brave and fearless, daring and dashing, ever-successful Ashby—the consummate cavalry leader.

He had fallen in the infantry engagement whose musketry rattle we had heard on our right while we were engaged with Wyndham. Leaving us under the command of Colonel Munford, he took command of the Fifty-eighth Virginia and First Maryland regiments and was leading them against a strong, thoroughly equipped, well disciplined and well officered Pennsylvania regiment known as the "Bucktail Rifles," so named because they were all from the mountainous region of their State, and each man wore a bucktail in his cap.

In advancing to meet this superb body of men Ashby had remained on his horse, a sorrel, which had taken the place of his famous white Arabian, until his horse was killed; then he continued to lead on foot, and when the fight was at its height and just as victory was about to gladden his heart, a ball pierced his body and "his warrior spirit winged its flight to meet a warrior's God."

His body was borne from the field, and the next day, Saturday, June 7, it laid in state in the parlor of the residence of Dr. George W. Kemper at Port Republic, wrapped in the Confederate flag, and when the shadows of the evening put an end to the throng which from early morning had been taking their last look, the flag and bier were wet with the tears which had rolled unchecked from the eyes of strong and brave men. The next day, Sunday, June 8, his remains were conveyed to Charlottesville and buried, and there they remained until after the war, when they were removed to the Confederate Cemetery at Winchester and re-interred by the side of his brother Richard, who was killed at Kelly's Island in the summer of 1861.

Of Ashby well and beautifully did the poet write after his death:

"To the brave all homage render,  
Weep, ye skies of June!  
With a radiance pure and tender,  
Shine, oh saddened moon!  
Dead upon the field of glory,  
Hero fit for song and story,  
Lies our bold dragoon."

In the soldiers' section of Winchester's lovely cemetery he rests, and at each recurring Memorial Day in Winchester, the 6th of June, the anniversary of Ashby's death, Southern matrons and maidens bank flowers upon his grave, and

"There throughout the coming ages,  
When his sword is rust  
And his deeds in classic pages,  
Mindful of her trust,  
Shall Virginia, bending lowly,  
Still a ceaseless vigil holy  
Keep above his dust!"

Returning for a moment to Wyndham, I will say that there has always been a dispute as to who captured him. I saw him directly after he was taken, but I did not see him captured. I was told at the time to whom he had surrendered, but as I have no personal knowledge on the subject, I will not make myself a party to the dispute by stating what I heard. I will say this, however, that I was informed that in endeavoring to rally his men after they broke, he ran upon a wide ditch or gully in the field, at which his horse balked; that just then a Confederate officer, whose name was given me, dashed up to him, when, pointing his sabre in the ground and swearing he would never attempt to command "another — Yankee," he surrendered to this officer. However, he did not keep his word, for after he was exchanged as a prisoner, he met with another sound drubbing at the hands of our cavalry at Berryville.

As I have previously stated, Wyndham had promised the Federal authorities at Washington when his services were accepted that "he would capture Ashby and bag his men." Instead, however, he was whipped in every engagement and was made a prisoner himself by one of Ashby's men, and

all of Ashby's men that his command ever "bagged" were not enough to much more than form a corporal's guard. But it must strike all who read these reminiscences that it was a most remarkable coincidence that Wyndham was captured and Asby was killed the same afternoon and nearly at the same time and almost in the same engagement.

## CHAPTER V

### FROM CROSS KEYS TO CEDAR RUN.

Jackson and Fremont Confront Each Other Near Cross Keys—Battle of Cross Keys—Jackson Defeats Fremont One Day and Shields the Next—A Quick Move to Take Part in Battle of Gaines' Mill—Swinton Gives Jackson Credit of Saving Richmond—Battle of Cedar Run—The Night Attack upon Catlett Station—A Ride Around Pope's Army.

All of Saturday, the day after Ashby fell, Jackson and Fremont confronted each other near Cross Keys about eight miles from Harrisonburg. A terrible gloom rested like a pall over the whole Confederate army on account of Ashby's death; every soldier—infantryman, artilleryman and cavalryman, and even waggoner—went about with sad faces; they mourned his loss as a man and soldier; they felt his loss to the army and to the South. In fact, at that time Ashby was deeper down in the affections of the Valley army than Jackson. This is a truth which I think any man of that army now living would verify. A little later nothing could have surpassed the love of Jackson's men for their great and invincible leader.

On Sunday, June 8, Jackson's men were aroused early from their rest, and were soon stripping themselves for the fray which they could see and feel would quickly begin. Before an early breakfast had been swallowed, cannons were heard in our rear in the direction of Port Republic. A large detachment of cavalry was hurried to the ancient village which was located in the forks of the North and South rivers, whose junction at this point formed the Shenandoah River. When we reached the vicinity of Port Republic, which was about four miles from Cross Keys, we learned that Shields, who had been moving up the Luray or Page Valley on a parallel line with Jackson as he moved up the main or Shenandoah Valley, had reached the south side of South River and some of his men had made a dash to seize

and hold the bridge which spanned the North River at Port Republic, and thus get in the rear of Jackson's army while Fremont's army was in his front. But Jackson had guarded against such a movement; the evening before he had planted artillery on the hills west or north of the bridge which commanded the approaches on the opposite side, and Shields's dash had been rendered futile and his men driven back by shell and canister from our guns on the hills. I heard at that time, and have heard many times since, that General Jackson was in Port Republic when the Federal cavalry and artillery made their dash, and that they reached the bridge, planted a piece of artillery at the end of it and had Jackson cut off with an unfordable river between him and his army; that Jackson rode rapidly to the bridge, ordered the officer in charge of a piece of artillery to move it and take another position, and that while the Federal officer, supposing he was receiving orders from a superior Federal officer, was preparing to move, Jackson put spurs to his horse, rushed across the bridge, and saved himself from capture. I am not ready to vouch for the truthfulness of the story. I think the real facts are that he made a very narrow escape, crossing the bridge not more than a minute, perhaps, before the Federal cavalry reached it.

It was on this Sunday, June 8, 1862, that Jackson met Fremont and defeated him in what is known as the Battle of Cross Keys, driving him back on Harrisonburg. It was on the next day, Monday, June 9, 1862, that he defeated and routed Shields in what is known as the Battle of Port Republic.

It will go down in history, never to be effaced, that with Fremont's army, as large as his own, in front of him, and Shields's army, as large as his own, in his rear, Jackson defeated Fremont on one day and Shields on the next day, and kept them so separated that one could not aid the other, and could only look on and see each other most soundly thrashed, without the power to send even a squadron to assist.

On Monday, after Jackson's army had all passed over the North River by way of the bridge and his men had crossed

the South River by wading or on footways formed by running wagons into the stream and laying planks from one to the other, and his artillery, caissons and supply wagons by fording, the bridge across North River was burned, and this prevented the two defeated Federal armies from forming a junction, or getting together, or attacking Jackson from front and rear.

Moving into the recesses of the Blue Ridge Mountain on the night after the Battle of Lewiston, or Port Republic, Jackson rested his army, keeping up demonstrations as if he were preparing to move down the Valley again. Devices spread the news that reinforcements were reaching him. These tactics caused Fremont to retire toward Winchester, and for two weeks or more, in fact until Jackson appeared below Richmond, he was looking daily for Jackson to advance upon him. These devices also had the effect of keeping McDowell in the Valley.

Having rested his men, on the night of June 17, Jackson, ordering his cavalry to keep up their demonstrations down the Valley, moved toward Richmond, and by rail and foot, by what was called "the ride-and-tie" way, he arrived in the vicinity of the Confederate Capital on the 26th of June, and was ready to sweep in on McClellan's rear and flank and take part in the bloody Battle of Gaines' Mill on the 27th. In three months—from March to June—his army, before leaving the Valley, had marched more than five hundred miles, fought five pitched battles, and had numerous minor engagements. Swinton says:

He made great captures of stores and prisoners, and by his skilful maneuvering of only 15,000 men he succeeded in neutralizing a force of 60,000. It is perhaps not too much to say that he saved Richmond, for when McClellan, in expectation that McDowell might still be allowed to come and join, threw forward his right wing under Porter to Hanover Court House on the 26th day of May, the echoes of his cannons bore to those in Richmond who knew the situation of the two Union armies the knell of the Capital of the Confederacy.

Jackson's movements and strategy had called McDowell westward and held him, and Richmond was relieved of the impending danger.



I was not a participant in any of the engagements around classic Richmond. I was kept in other sections, and as I am only recounting things of which I have personal knowledge, or with which I was in close touch, I shall not speak of these engagements. Personally I know nothing of them.

During the weeks that intervened between Jackson's departure from the Valley and the Battle of Cedar Run, or Slaughter's Mountain, the regiment to which I was attached was kept busy in various ways—principally outpost duty and scouting in the Valley and Piedmont sections. On the 7th of August, I think, we joined Jackson in Orange County, and the next day we participated in the Battle of Cedar Run, resulting in a victory over Pope, "whose headquarters," he said, "were in the saddle," and who had only a day or two before wired to Washington that "he had seen nothing but the backs of the enemy." A little after dusk, and while firing was still going on, I was ordered by Colonel Asher W. Harman, colonel of my regiment, to take a squad of my men from my company, find General Jackson, and deliver a message to him. I started, and being unfamiliar with the country and only directed by the sound of the firing, I wended my way with difficulty, but without encountering any serious obstacle. As I expected, I found General Jackson at the front and where cannons were still roaring. It was in front of a piece of woods which some of our artillery were engaged in shelling. He was sitting by a gun, eating an onion and some hardtack. I saluted him and delivered my message. What it was I never knew. He wrote a reply on his knee while sitting on his horse, and handed it to me with the remark, "Lieutenant, you can return to your command and deliver this paper to your colonel"; he then rode away. I obeyed his command, and had little trouble in reaching Colonel Harman, though he had moved from where I had left him.

The Battle of Cedar Mountain was a hard-fought battle, as the Federals contested every inch until after dark, when they were forced to retire, leaving us in possession of the field and having driven them quite a distance from the place they first offered fight. The loss has been put down at



about 1,300 on our side and about 2,400 on the Federal side, of which about 1,700 were killed and wounded. We captured one or two pieces of artillery, several colors, and five or six thousand small-arms.

Jackson telegraphed to Lee, "God has blessed our arms with another victory." Lee replied, "I congratulate you most heartily on the victory which God has granted you over our enemies at Cedar Run." I give at least the substance, if not the exact words, of the two messages.

From this time forward we heard no more from Pope that his headquarters were in the saddle or that he had seen nothing but the backs of the enemy. He had been taught a lesson which he remembered, and gave him a mortal dread of Stonewall and his men.

The cavalry, as the eyes and ears of the army, was kept busy watching the enemy, making reconnaissances and in almost daily skirmishes. Stuart, who was in command, was tireless in his movements, bold and daring. He was almost ubiquitous. Wherever he ought to be, there he was almost sure to be found. He seemed able to divine and read the pent-up thoughts and secret purposes of the enemy, and he was ready to thwart every plan or keep his commander-in-chief informed as to the intentions of the enemy, even before the execution of them had commenced.

I was in the night attack upon Catlett Station; it was as dark as Erebus; the rain was coming down in blinding sheets. We had surprised the Federal camp, and the result was its easy capture with rich stores. Our greatest danger was from each other in the darkness and beating rain-storm. We lost most of the stores we captured, however, for want of means to carry them away, and we were unable to destroy all we could not carry away on account of the rain. We captured, I think, over 300 prisoners, with many horses, which we held.

To reach Catlett Station we had to pass around Pope's army and get directly in his rear, and by this movement Stuart displayed that audacity which was one of his characteristics that gave him fame and made the enemy fear him so much.

## CHAPTER VI

### SECOND BATTLE OF BULL RUN

One of Jackson's Ruses to Fool the Enemy—Pope is Bewildered—The Second Battle of Bull Run—As Viewed on the Field and at the Cyclorama in Washington—Colloquy Between a Union Woman and a "Johnnie Reb"—Battle of Chantilly—Death of Phil Kearny—A Tribute to his Memory.

On the 25th of August Jackson moved from Jeffersonton in Culpeper County westward, and his Valley soldiers were rejoicing that they were returning to the green pastures and vales of milk and honey of their beloved Valley, and would see once more their wives and children, fathers, mothers, sisters, and sweethearts. But it was simply one of Jackson's tricks—it was a ruse—it was intended to deceive the enemy. After getting a short distance beyond Amissville on the great highway that crossed the Blue Ridge, Jackson suddenly headed his army eastward, and then the hopes of the Valley men fell; but with brave yet sad hearts, sad because they were turning their backs upon the land where their loved ones dwelt, upon their homes and kindred—yet I say with dauntless spirit, they took up the march eastward, destined they knew not where, except they were sure Jackson was after the enemy, with steady tread and quick step. He marched all that hot August day, and not until near night-fall did he go into camp. This was near Salem in Fauquier County. The next day, instead of continuing eastward, he changed his direction to a southeasterly course, and moved along the line of the Manassas Gap Railroad, and was soon in Pope's rear and on the line of his communication with the Federal Capital.

Pope was bewildered by these movements. He did not know what to expect, what he had to meet, what preparation or what disposition to make of his army; his divisions were scattered over a space of twelve miles, from Centerville to Bristow; concluding finally he had only Jackson near him

and that he was endeavoring to escape, he ordered the attack; he had no idea Lee was near at hand, or that Longstreet was anywhere within striking distance.

Pope's assaults were unsuccessful, and the 29th of August closed without advantage to him—though his men had obeyed promptly every command, charged whenever ordered, and behaved with remarkable bravery. In fact both armies had behaved most handsomely, and with true American courage and endurance. The next day, the 30th, came the great Second Bull Run Battle, Pope on one side, Lee on the other, each commanding in person, resulting as all know in a Federal defeat and rout late in the afternoon, after the most desperate fighting on both sides. The ground was in many places literally covered with the dead and dying of the blue and the gray. In front of where Hood with his Texans fought, the New York Zouaves lay in appalling numbers, stark in death, their red breeches making the space more conspicuous than any other spot on the renowned field. They were so thick that frequently for rods you could easily have walked upon their dead and dying bodies.

Some years ago a Cyclorama of this battle as it was waging about five o'clock in the afternoon was on exhibition in Washington, and I made one of several parties of Federal and Confederate participants who stood before it and in low tones, in the presence of the scene of blood, carnage, and death, and in kindly spirit, fought the battle over. On one of these occasions I met a party of ladies and gentlemen from Virginia, and knowing that I had been in the battle they requested me to tell them all I could about it. I said: "My friends, it is true I was in this battle and in many of the thickest and deadliest places of it, but I cannot tell you much about it of my own knowledge, for when I was engaged in a battle I had as much to do in my own front and about me as I could well do, and had little knowledge of what was taking place on other parts of the field. I will tell you what I saw, and know, and then I will tell you, as far

as I can after so many years, what I heard around the camp-fires or on the march, directly after it closed, and what I have read since.

"I have seen some soldiers who could tell you with great minuteness every movement, every charge, every advance, every retreat, and every repulse; in a word, soldiers who were ubiquitous, or had eyes everywhere and had personal knowledge of everything that occurred in an all-day fight. But I am not one of these remarkable fellows."

The landscape and topography of the country before me, on canvas so hung as to magnify the entire scene, were familiar, so I gave them as quickly and quietly as possible all I knew personally and then all I had heard and read, and bidding them good-by, turned to join my party of friends, but they had gone. Just then a lady who had come in turned to an old fellow with gray hair and beard, who was looking intently in the direction of the railroad cut in which Jackson's men were posted, and which the Federals were charging with great spirit and gallantry, and said: "Excuse me for disturbing you, sir. Were you in this battle?" "Yes, ma'am, I was in it." "Well, sir, I was a Union woman; I suppose you were in the Union army." "No, ma'am, I was what you would call a 'Johnny Reb'; I was in the rebel army from start to finish, and was in this battle under Lee, and hearing of this picture I thought I would come and see it." "Well, sir, that's all right. I have no feelings against you rebels now; we whipped you and we are all united again in the Providence of God, and I hope forever." The old fellow studied a moment and said: "You must pardon me, ma'am, but I don't think God had much to do with this matter. Your people whipped us because you had five times as many men as we had, and all the money and rations you wanted, and I don't think I ever heard that God gave one half-starved man the strength to whip five fully-fed men. If he ever did, the five must have been mighty ornery men."

The lady made no reply to this thrust, but after a pause she said: "This must have been a terrible battle!" "Yes,

ma'am, it was just awful; there was a heap of men killed and a heap of blood spilt." "I thought, sir, this was a Confederate victory, and our men retreated." "Well, ma'am, we did win, and the Union army did retreat." "It don't look now like our men were going to retreat; they are standing up to it mighty well," she said. He replied: "You came a little too early; it is only five o'clock; you wait until about six o'clock, and you will see your men git up and git and make tracks as fast as greyhounds toward Washington."

This ended the conversation, and the lady, bowing very graciously to the old "Confed," walked to another part of the platform. I was so much interested in the conversation that I kept within easy earshot of it all, and as soon as I could get an opportunity I introduced myself to the old soldier and asked him his name. He gave his name, which I am sorry to say I cannot recall, and told me that he was from North Carolina. I have given the conversation almost literally.


This cyclorama was so interesting to me that I wanted Mrs. O'Ferrall to see it. She, however, assured me she had no desire to witness even on canvass the horrors of a battle-field. Still I persisted, and to my regret afterwards she visited it with me. The approach was through a long, gloomy hall, and up steps to the platform around which the canvas was stretched, the scene bursting suddenly upon you as you reached the top step.

My wife was just ahead of me, and when she caught sight of the picture it was so realistic that it startled her and she would have fallen back down the steps if I had not caught her. However, she summoned her courage and walked upon the platform; but in a few minutes she said the scene was making her sick, and we took our departure. The dead and dying men, the wounded being carried from the field, the turmoil and excitement, the flashing of the guns and the bursting of shells were so graphically portrayed that the picture was too much for her nerves, and it was weeks before she recovered from the impressions that short visit

and the view of the Second Battle of Bull Run had made upon her.

On September 1 the engagement of Chantilly occurred, in which the Federal advance under Reno was repulsed. It took place in a driving rain, wetting the ammunition, and causing Jackson to order the use of the bayonet, and the Federals were driven back until darkness settled around the contending forces. Reno, retreating, joined the main body of Pope's army, which never stopped until it was within the defenses of the Federal Capital. It was at Chantilly that the brave and heroic General Phil Kearny, of the Federal Army, was killed. He had distinguished himself and had been brevetted for gallantry at Contreras and Churubusco in the war with Mexico. At Williamsburg, Seven Pines, and Frazier's Farm his bearing was so superb that he was promoted from a brigadier to a major-general. At Chantilly he had ridden forward on his line to reconnoitre, and was shot by a Confederate soldier with whom he accidentally met away from his command, and perhaps struggling or without leave.

He was a thorough soldier and accomplished gentleman, and I was told by General Cadmus Wilcox, among the South's bravest and best, that in Kearny's soldier life he was never guilty of an act that would not bear the closest scrutiny. If he was destined to fall, he deserved a more glorious death. I think his body, sword and pistols and personal effects were, by order of General Jackson, sent through the lines to be delivered to his widow.



## CHAPTER VII

### THE ADVANCE INTO MARYLAND.

Our Cavalry Crosses the Potomac at White's Ford—I Get a Broken Arm in a Cavalry Skirmish near Poolesville—Saved from Certain Death by Gallant Sergeant-Major J. H. H. Figgatt—General Ashby's Successors—Gen. William E. Jones—A Brave Federal Deserter—Big and Gallant Colonel Funsten.

The advance into Maryland by Lee's army came after Bull Run and Chantilly. It was undertaken, as I have understood, and as I think history records, by General Lee with grave doubts of success. He had absolute confidence in the fighting qualities of his men, but he did not think his army was properly equipped and prepared for an invasion of the enemy's country. His horses were feeble; his men were poorly clad, and in many instances shoeless. Yet he did not think his army could afford to be idle, and he regarded conditions as favorable except in the particulars named.

On September 5 our infantry and artillery, with bands playing and the men singing "Maryland, My Maryland," and with wild delight, commenced crossing the Potomac at Edward's Ferry, where the river was broad but shallow. It was here Evans, or as many think, Hunton, had achieved victory at the Battle of Ball's Bluff, and where it is said Wayne had crossed his Pennsylvanians in marching to Yorktown in 1781.

The cavalry forded at White's Ford late on Saturday evening and moved to Poolesville and camped; the next day they moved to Urbana; on Monday they returned to the vicinity of Poolesville, where they met the advance cavalry of the Federal army moving to meet Lee's army. In the encounter with this cavalry I was disabled in my right arm by a sabre-stroke; it was broken two or three inches above the wrist joint, and but for the timely assistance of Sergeant-Major J. H. H. Figgatt, of my regiment, I would



have been cut down. A stalwart Federal sergeant, into whose face I had thrust my pistol and pulled the trigger with only the result of an exploded cap, had given me the blow, and while I was dodging his other strokes and endeavoring to get away from him, Figgatt dashed up, and taking the fellow off my hands, with a well-directed blow about the head or neck knocked him from his saddle. I have always believed that Figgatt saved my life, for I had not thought of surrendering, and the fellow, apparently maddened by the narrow escape he had made from death by the failure of my pistol to fire, seemed determined to finish me.

Figgatt was as fine a soldier as the war produced. He was a magnificent specimen of athletic manhood, a splendid horseman, brave as the bravest, and always cool. He was subsequently promoted for gallantry. From the time of which I speak until his death, about 1896, we were fast friends, and when he died at his home in his native town of Fincastle I attended his funeral, and the immense turnout of the people and the deep emotion that was displayed attested unmistakably the love his people bore him. His widow touched me deeply when she told me that only a little while before he breathed his last he said, "Tell O'Ferrall all is well." He was a devout Christian, and all can understand what he meant. As I was leaving the house after he had been laid to rest in the Methodist Church-yard, his widow gave me one of the spurs he wore on the day he rushed to rescue me. I have it, and prize it among the things I prize most.

The wound in my arm was too severe for me to continue with my command, and I returned to my war home, New Market, and did not rejoin the army until it had recrossed the Potomac after Antietam, and then I had no use of my arm, and had to carry it in a sling; but it was not long before I was all right again and fully ready for duty.

I shall say nothing about Antietam, as I was not, on account of my wound, in that battle.

The immediate successor of General Ashby, as com-



mander of the Ashby brigade, was General Beverly H. Robertson, but he was shortly succeeded by General William E. Jones. During the winter of 1862-63 this brigade then called Jones's brigade, had quarters in the Shenandoah Valley in the Mount Jackson and Edenburg sections. Its pickets held an advanced line down the Valley about Fisher's Hill.

General Jones was a superior brigade commander; he took the best care of his men and shared their hardships and discomforts; he was alert, untiring, and as a fighter he was not excelled by any officer in the army. He was a West Pointer, but resigned and returned to his native county of Washington, Virginia, several years prior to secession, and was engaged in farming when Virginia called for troops. He organized a company, the Washington Mounted Rifles, and was assigned to the First Virginia Regiment of Cavalry and took part in the First Battle of Manassas, where he displayed such qualities as to attract attention and led to his promotion to the colonelcy of the regiment when Stuart received a brigadier's wreath upon his collar.

Jones's brigade wintered very comfortably in their quarters in the Mount Jackson and Edenburg neighborhoods, and it was active in picketing, scouting, and guarding the Shenandoah Valley and the section extending westward as far as Moorefield in Hardy County. During the winter I received an occasional letter from my mother or some friend at my home, near the Potomac, in Morgan County. In one of these letters I was told that a sergeant of a Pennsylvania regiment stationed at my home, by the name of Flynn, intended to desert, come South and report to me. The writer further stated that I could trust him. I paid little attention to the matter, and it had almost passed out of my memory, when on a cold and rainy night, about the middle of February, as I was sitting in my Sibley tent enjoying a warm fire and listening to the pattering of the rain upon the sides of the tent, a sergeant of my regiment threw up the "fly" and entered and just behind him came a

tall man in a Federal uniform with sergeant's chevrons on his sleeves. The Confederate sergeant told me that the man had been brought in by our pickets; that he said he was a Federal deserter and had a letter to me, and Colonel Harman had directed him to bring him to me. Instantly I recalled my friend's letter, and I said to the man, who was standing, cap in hand, towering far above all present, "Are you Sergeant Flynn?" He replied: "Yes, sir, I am Sergeant Flynn. I have a letter for you, Captain." He handed me a letter; it was from my friend at my old home. I read it, and again I was told I could trust Flynn. That night he spent in my tent, and it was late before we went to sleep. He brought me much news from home.

The next morning Colonel Harman thought it would be well for me to take the fellow to General Jones's headquarters, which were at Edenburg, five miles down the Valley. Mounting him on one of my horses, we rode to the quarters of the brigade commander. General Jones, after I had told him all I knew about Flynn, said to him, "Why did you desert?" Flynn replied that he had been converted to Southern views by some Southern women; that he believed the South was right and he wanted to fight for her. The General then asked him what Federal troops were in the lower Valley and where they were stationed. Flynn declined to tell, saying: "General, I must bear the odium of being a deserter. I must take the chances of being captured and hung. I am willing to bear this odium and take these chances for the sake of my convictions, but I cannot give you information which I obtained only as a Federal soldier." General Jones looked at him intently for some seconds, and then turning to me he said: "Well, this man is the strangest deserter I ever saw. Have you faith in him?" I replied: "I have assurances of his sincerity which I cannot disregard. I have the word of as true a Southerner as lives and I can trust him, and I will trust him if you will allow me. I will put him on the rolls of my own company." He said, "All right"; and then in a low tone, "you had better watch him."

We were about ready to mount to return to camp, when



a courier on a foaming steed announced that a body of Federal cavalry had driven in our pickets and were advancing rapidly up the pike. The General ordered the Eleventh Regiment, under Colonel Oliver R. Funsten, which was encamped nearby, to move at once to meet the Federal advance.

He dispatched one of his aids to order the Seventh Regiment, which was farther off, to move as quickly and rapidly as possible to the support of the Eleventh, and then, as he was preparing to go himself, I asked him if I could not go with him. He said, "Yes, but what will you do with your Yankee?" I replied, "I will take him with me and test him." He said, "Very well, do as you choose."


I turned to Flynn, and said, "I am going into this fight, and I shall take you with me." He replied, "I am delighted, but I ought to have a gray uniform." I secured a gray overcoat for him and we started, joining the Eleventh Regiment as it filed out into the pike and started at a trot to meet and engage the enemy. We encountered the Thirteenth Pennsylvania Cavalry at Toms Brook, a hamlet about five miles below or north of Woodstock. As soon as the enemy was sighted Colonel Funsten ordered the charge, leading it in person. The enemy was routed, and from there to beyond Middletown, a distance of more than twelve miles, we kept them on the run, making captures of men and horses and sending them to the rear. At a single point only, Cedar Creek, did the Pennsylvanians make any effort to rally. There they were reinforced by a part of the First New York Cavalry, but just at this moment almost our Seventh Virginia Cavalry came up, and in the shortest time we had them on the run again. For a mile or two Flynn was always near me; then in the excitement of the chase I forgot all about him, and when suddenly I thought of him and looked about for him he was not to be seen. After the chase, which lasted until night-fall, our regiments turned about, and at midnight, I think, I reached my camp. The next morning I inquired for Flynn, but he was not to be found. As the morning wore away I became uneasy and began to feel that

I had been outrageously duped, and was minus a horse. But about the middle of the afternoon, much to my delight, the fellow came, hobbling into camp leading his horse, which was lame. He explained to me that in the chase, near Strasburg, his horse had cast a shoe and become lame and he could go no farther, and he had been compelled to walk and lead his horse all the way back. He was covered from head to foot with mud. He said he had captured and disarmed many a Federal cavalryman, and he was loaded down with pistols, carbines, and sabres, which bore testimony to the truth of his statement. I was satisfied that he was true; he had been tested, and I did not hesitate to enroll him in my company, and he proved to be a most excellent soldier; he was trusted anywhere and became a favorite in the regiment. I have forgotten to say that he was a young Irishman, educated, and claimed to have aristocratic blood in his veins. His final end, which I shall notice later, was heroically tragic.

Many of the Eleventh Pennsylvania did not stop running until they reached Winchester. Colonel Funsten, of the Eleventh Virginia, was an enormous man and he rode an enormous horse,—it was necessary,—and he carried a long, huge sabre. This story was told of him:

As one of the demoralized cavalymen entered Winchester, without hat and his horse panting for breath, he was asked what was the matter with him. He replied: "What's the matter? Why, we met a lot of rebel cavalry up the Valley. At the head of them was a colonel as big as the side of a house, and he rode a horse according, and he carried a sabre as big and long as a saw-log, and he just swept the pike from side to side, as he came thundering down it." This story flew from camp to camp.

Colonel Funsten was a superb soldier and a Virginian of the first water. His men loved him, and took great pride in speaking of him as "our big Colonel." He lived through the war, and exemplified in his whole life the characteristics of the highest manhood and citizenship. He died lamented by his old followers, a host of friends, and the State he had served and honored so well.



## CHAPTER VIII

### JONES'S WEST VIRGINIA RAID.

The Composition of Jones's Force—His Destination a Secret—The First Obstacle Encountered—Our Condition on Reaching Weston—I Buy a New Horse—Am Beaten in a Horse-Race by my Old One—Incidents on Our Raid—An Encounter at Fairmount—Headed for Home—We Learn of Jackson's Death.

In the early part of April, 1863, General W. E. Jones ordered ten days' rations of jerked beef and hard tack to be issued to his brigade, and with our haversacks filled, the brigade consisting of the Seventh, Eleventh, and Twelfth regiments, White's battalion, the Maryland battalion, and Witcher's battalion, we left our winter quarters, without wagons or artillery, and moved on through Brock's Gap in the North Mountain; thence to Moorefield; thence to Petersburg, in Grant County, where we found the South Branch of the Potomac greatly swollen by recent rains. Whither we were going or what object General Jones had in view, no officer below a colonel, and surely no private soldier, had the slightest conception.

Though the waters of the South Branch were swift and the fording exceedingly hazardous, we were ordered to cross, and regiment after regiment and battalion after battalion plunged into the angry and dangerous torrent, and in a few hours we were all safely across, with the exception of three or four poor fellows who had been swept down the stream and drowned.

We were all of course as wet as rats, but we had kept our powder dry—our cartridge boxes and pistols were carried above our heads as our horses swam from bank to bank. We moved on, and as the sun was ready to set, the Seventh Regiment, under Colonel Richard H. Dulaney, which was in front of the Maryland battalion directly behind it, encountered quite an obstacle. At the entrance to a pass in the mountain, through which the turnpike ran, a log church and

a log school-house stood—the church on one side and the school-house on the other side of the road. Stationed in them were an Indiana company and a West Virginia company. Colonel Dulaney leading his regiment, dashed through between the buildings to get beyond them and prevent the escape of the two companies. As the regiment charged through it was fired upon at close range from the houses, and Colonel Dulaney and a number of his followers were wounded.

These two companies, numbering perhaps 150 men, refusing to surrender, held our entire brigade of 3,500 men off for two or more hours, and until a squad from the Maryland battalion, under the cover of night, charged the buildings and set them on fire—then, and not till then, did these Indians and West Virginians run up the white flag and surrender; not until they were confronted with the proposition, “throw up or burn up.” Our loss was not less than thirty, killed and wounded. The gallant Dulaney had his arm, right, I think, shattered. That night we encamped in the mountain gorge.

We were still mystified as to what the movement meant, but to abbreviate my story I will state now it culminated in what has ever since been known as “Jones’s West Virginia Raid,” striking Morgantown, Weston, Bridgeport, Rathbone City or Oil Town, Fairmount, Summers Court House and other points, returning by way of Lewisburg and White Sulphur Springs to Staunton, occupying just thirty-two days.

When Jones’s brigade reached Weston on this raid the men were in wretched condition generally in the way of clothing and in other respects which an old soldier can readily conjecture. However, we were able to secure plenty of soap, and a river was at hand. We were also fortunate in obtaining a large quantity of calico of all shades and figures, and the fingers of many a fair hand were soon busy making the calico up into undergarments. How many they made I could not form the slightest idea, but enough to supply those who needed them the most and to send us away

feeling far better and more respectable than when we reached the town. Soap and water and clean clothes had a most wonderful effect, and all of us felt that John Wesley was right when he declared that "cleanliness is, indeed, next to godliness."

As we were returning from our West Virginia raid, my horse, a fine dark bay, broke down at Lewisburg, and could carry me no farther. He had cost me \$800 a few weeks before. I had therefore to supply myself with a fresh mount, so I purchased from Mr. "Abe" Bright a good-looking sorrel, paying \$1,000 for him, and trading my disabled horse in at \$300 as part payment.

The sorrel turned out to be a superb animal, full of mettle, cool and brave, and as swift as an arrow from a tightly-drawn bow. I was mounted on him at Upperville when my lung was pierced by a carbine bullet. I fell from him, but he never budged, and stood over me, while I laid on the ground, and was led off by the soldiers who carried me from the field. The attachment of a cavalryman for his horse, particularly if he had proved to be true and faithful and had carried his rider out of tight and dangerous places, became very great; and my fondness for the brave animal that with bullets whizzing thick as hail about him would not desert me when wounded, was almost as tender as if he had been a friend of human flesh and blood. But in spite of my fondness for him, I was compelled to part with him when I had recovered sufficiently to return to the service; by some mishap he had become lame and I feared permanently, so with many regrets I traded him for a dapple gray, paying considerable boot-money.

Horse-racing was the supreme sport of cavalrymen. I was particularly fond of it. An old gentleman who was a great horse-racer came to my tent in the early spring of 1864 and asked me if I had anything I would like to race for a small sum; that he had heard I had a gray that was fast. I replied that I would give him a tilt for half a mile, and on his saying all right, the stakes were posted.

A track was soon found and the regiment gathered to see



the race. My gray, with his rider up, was soon on the ground; directly the old gentleman rode into the field, mounted, to my surprise and chagrin, upon the sorrel I had ridden at Upperville and had traded for the gray. I knew I was beaten, for while my gray was regarded as fast, I was satisfied the sorrel was faster, and had the wind of a fox-hound. The result was as I had mentally predicted—I lost the race and the old gentleman rode away with his pockets well filled with his winnings, for many of my regiment had backed their judgment with their money that the gray would win, and the old gentleman, whose name was Harmison, had taken every bet that was offered him.

Horse-racing, I have said, was the principal sport of cavalrymen when lying in winter quarters or resting for a few days, and I have known whole companies to draw their pay one day and lose all of it the next day in backing some particular horse that had won for them in other races.

Several things occurred in Jones's raid which I will mention. At Oil Town we destroyed thousands of barrels of crude oil, which we found in immense tanks as it had been pumped from the wells. These tanks were located for quite a distance up a depression in the hills or mountains. Down this depression ran a stream which emptied into the Little Kanawha River a few hundred yards below. We set the tanks on fire and the burning fluid ran out into this stream and was floated by it into the river, and that night for miles the country was lit up by the burning oil, presenting a picture I shall never forget. The loss to the operators must have been heavy, for besides the loss of the oil, we greatly damaged the wells and machinery. Some may say this was inexcusable and wanton destruction of private property. But this would hardly be a just criticism, as the oil was being bought by the United States Government, and the destruction was similar to the destruction of army supplies, which is always regarded as legitimate in war.

On this expedition and with my company and under my command was the Yankee sergeant of whom I have spoken. Always at his post, faithful to every duty, ever ready to



perform any service and encounter any danger, he was with us until we arrived in the vicinity of the town of Union; there his horse broke down and he was compelled to abandon him.

With others, who like him were compelled to leave their horses and trudge along on foot with their saddles, bridles, and blankets on their backs, he was making his way cheerfully, when he discovered some horses in a field perhaps a quarter of a mile from the road. Calling the attention of his dismounted comrades to them, he and two others started toward the horses. This was the last that we ever saw of him. The sergeant and his comrades were fired upon by citizens, and he and one of the others were mortally wounded and carried off, but not, as stated by his comrade who escaped, until he had emptied his carbine and every chamber of his revolver.

I took him and trusted him upon the faith of the assurance that my friend, whose letter he handed me that gloomy and dismal February night in my tent at Mount Jackson, had given me, and every act of his, from the day he returned to camp foot-sore and leading his lame horse down to the moment of his unfortunate death, was confirmation strong of the honesty of his convictions and the sincerity of his purposes. He was a deserter, and no doubt opposite his name on the muster rolls at Washington is written the word "deserted," and if he had ever been captured alive his fate would have been that of a deserter, yet I shall always believe he deserted because he was fighting in what he regarded as an unjust cause against what he believed to be a righteous cause. I can imagine no other motive.

When our brigade reached Fairmount we found a force of Federal infantry. There I wounded and took prisoner a young lieutenant about my own age. A ball from my pistol hit him in his leg, inflicting a painful but not a serious injury. As he fell I approached him, and he made himself known to me as a member of a secret order to which I belonged. I had him carried to a house in Fairmount, now known as Skinner's Tavern, and made him as comfortable

as possible. While talking with him I found he had been stationed at my home and had seen my mother and sisters. I expressed my anxiety about them. He replied, "Captain as soon as I can travel I will go and see your mother and sisters and if they need anything they shall have it." I thanked him, and bidding him good-by, and expressing the hope that his wound would not trouble him much, I left him. He kept his word and promise.

At Fairmount we headed for our Confederacy—for old Virginia, the Valley so dear to all our hearts. When we arrived at Lewisburg we heard of the death of Stonewall Jackson. For more than three weeks we had been cut off absolutely from news. We had no conception of the momentous events that had been taking place in eastern Virginia. Jackson's death cast the deepest gloom over the brigade. All hoped and prayed that it was a false report, and yet the information seemed to be so authentic as to leave no doubt of its truth. From Lewisburg we proceeded toward Staunton as rapidly as the jaded condition of our horses would permit. We were not many miles on the way before the last lingering hope vanished that Jackson was not dead, for we were then in a section where there was nothing but Southern sentiment and we found mourning over the death of the spotless hero and almost unmatched leader, in every face and home.

At Staunton we obtained of course all the particulars of Stonewall's death, and learned of the desperate fighting and terrible carnage that had taken place while Jones's brigade had been in the recesses of the West Virginia mountains away from telegraphs and all lines of communication. We knew nothing of Chancellorsville and the Wilderness, except the little information we had picked up on our way from Lewisburg.

We had all lost friends, and many of them, in the fierce engagements in the east, during our month's raid, but the experience of more than two years had, strange to say, accustomed and hardened us to such things. It was the fate of war. In peace we lose friends and we mourn for them

and think of them and long for them for months; but in war it is different. Comrades are constantly dropping out of the ranks, constantly passing over the river; but there is such a whirl, events crowd upon each other so fast and the fallen are so numerous, that a fresh wound to our feelings to-day becomes an old wound to-morrow; the sorrow of to-day is supplanted by the sorrow of to-morrow. Yet the soldier in war is every day a mourner, and while he may be gay and apparently happy, it is often an effort to drive away misery and drown sorrow. I have seen a comrade weeping while preparing to attend a ball, and yet be among the gayest of the gay in the mazes of the dance. I have seen a comrade bowed one hour in the deepest distress, and the next hour engage in a horse-race, dance a jig, or sing a funny camp song with exceeding gusto. It was to drive away grief, make him forget his sorrow, if only for a brief period.

## CHAPTER IX

### BATTLE OF BRANDY STATION.

The Most Famous Cavalry Engagement of the war—Stuart's System of "Grand Guard"—Ordered Forward to Beverly's Ford—Seeing with the Enemy for Hours—A Charge and Clash—A Drawn Battle—I Wound a Federal Officer and the Peculiar Outcome—A Case of Robbery Investigated and Restitution Effected.

As soon as our brigade could rest and recruit its horses in the clover and blue-grass fields of Augusta it joined the cavalry corps under Stuart in the Piedmont section, and we had plenty to do, and had many skirmishes, leading up to the sanguinary field of Brandy Station on June 9, 1863. This was perhaps the most famous almost strictly cavalry engagement of the war. It was cavalry against cavalry—a carbine, pistol, and sabre combat, with only a little artillery firing in the early morning and an occasional cannon roar during the day.

On the day before, our cavalry corps had been reviewed by General Lee; the day was ideal and the ground as suitable as could have been desired. The appearance of General Lee as he rode in review with General Stuart, with Stuart's black plume waving like the white plume of Henry of Navarre, aroused the enthusiasm of the corps to the highest pitch, and prepared them for the bloody struggle of the next day, though we had no idea that it was to occur; yet at that time we were ready for anything, not knowing when we laid down at night what the breaking of the next morning's dawn would bring.

General Stuart had adopted a system of having a regiment from each brigade on what was termed "grand guard" while lying in camp; that is, the horses were kept saddled and bridled and the men by them, day and night, so that the regiment could move at a moment's notice in case of an emergency.

On the evening of the review, June 8, my regiment,



the Twelfth, under Colonel Harman, its colonel, went on grand guard, and we all laid down that night by our saddled and bridled horses, with our boots on, and sabres and pistols buckled around us and our carbines by our sides, with nothing to do in case we were called up but to strap our blankets on our saddles, mount our horses, and fall into line.

On the ninth, before the sun had risen high enough to reflect its rays upon our camp, the sound of a cannon was heard in our front in the direction of Beverly's Ford on the Rappahannock. Instantly our regimental bugle sounded the call to mount; the men sprang out of their blankets, and I am sure in less than ten minutes the regiment was in line awaiting orders. A fellow in the line remarked that such an early rising was not good for a man's liver, but we would knock the livers out of the disturbers of our rest as soon as we could get at them. We did not have to wait long for our orders. They came to us by a courier from General Jones mounted on a fleet-footed thoroughbred, and they were to quickly move to the front, which meant to Beverly's Ford. The enemy's cavalry had crossed the Rappahannock during the preceding night and were advancing. Colonel Harman led his regiment in a trot and gallop until he discovered the enemy's cavalry in a piece of woods beyond an open and clear field three or four hundred yards in front. He ordered me to deploy my squadron, the first, Company B (Lieutenant Rouss commanding) and Company I, my company, and advance upon the woods, telling me he would support me with the remaining four squadrons of the regiment. I obeyed his command and moved my skirmish line over the open space. The enemy made no demonstration until my line was almost within the edge of the woods, when they let drive a galling fire, checking my advance, killing and wounding several of my men and horses. At the same time they rushed upon us as thick as angry bees from a hive when stirred. But Colonel Harman was up with the other four squadrons of the Twelfth, and the fight became close, fast and furious; but being in far greater numbers they drove us back to a hill in the field, where rein-

forcements came to us, and we drove them back to the cover of the woods. Several times was this repeated. We would drive them into the woods and then they would rally and drive us to the hill. For hours this see-sawing was kept up. Finally, after we had driven them the fourth or fifth time to their rallying point, they showed no disposition to charge again, and we fell back to the hill. As may well be imagined, these various charges and counter-charges were not without heavy cost to both sides, and no decided advantage, so far as we could see, had been gained by either. Lieutenant Randolph was severely wounded—a fearless officer. We held our line on the hill for some time, how long I could hardly approximate—I think, however, as late in the evening as three or four o'clock.

While we were fighting, and in fact while we were sitting on our horses on the hill waiting, fighting was going on to the right and left of us. But the enemy had disappeared from our front. Suddenly we were ordered to the rear, and the speed at which our colonel was leading us satisfied me that we were badly needed somewhere, but where I did not know or have the slightest conception. When we had gone some distance we saw a Confederate officer sitting on his horse by a piece of artillery on elevated ground, waving us on; we quickened our already rapid pace and soon reached him. I was riding at the head of my squadron, the first, which was the head of the regiment, with the colonel. The officer pointed out to us two regiments of cavalry drawn up in columns of squadrons, evidently waiting for us; they had no doubt seen us approaching from some point, as the country was entirely open and unobstructed. Forming squadron front we charged; the Federal cavalry also charged. The two forces met; sabres flashed, crossed and clashed, pistols rang. In a few minutes White's battalion, led by its dauntless and intrepid commander, Colonel E. V. White,—who is still living, an honored and esteemed citizen of Leesburg,—came with a rush, and the result was the Federal force sullenly withdrew, leaving us in charge of the field.

It was a drawn battle—neither had a victory, neither could claim any decided advantage. Both sides had won trophies for gallantry and courage; each had proved itself worthy of the other's steel. In this fight Colonel Harman of my regiment was wounded and captured. He was as courageous as any man who wielded a Southern sabre; his favorite and almost only command, in the presence of the enemy, was "charge."

While the battle was raging the hottest I wounded a Federal officer who was leading his men in magnificent style. He fell from his horse, and being very close to me, in falling he caught me by the coat and clinging to it came very near pulling me from my saddle. I tried to break his hold and get rid of him, but he held my coat in his grasp as if it were in a vise; finally I tapped him on the head with the butt of my pistol and he dropped to the ground. That night I heard in camp that a certain member of my company had a fine gold watch which he had taken from the pocket of a dead Federal cavalryman after the battle.

I had never known an instance of the robbery of a prisoner, wounded or not, by any member of my company, and if I had ever heard of such conduct by any man under my command, I would have gone to the length of my tether in punishing him. The idea of taking from the dead always grated upon my feelings, yet I was ready to excuse the soldier who did it, rather than bury the effects with the dead. I was not therefore disposed to disturb my man who had taken this watch from a dead body.

The Confederate wounded and the Federal wounded who had been left on the field were carried to Brandy Station, where there were some large buildings built of plank, for the storage of the tithes of grain and produce gathered under an act of the Confederate Congress. On the morning of the 10th I rode to the Station to look after the wounded of my own squadron. After I had seen them and done all that I could for their comfort, and was about to leave the hospital, an attendant told me that a wounded Federal officer at the other end of the building wanted to see me. Going



with the attendant, he conducted me to a cot of a soldier who had a bandage around his head. As I approached him he raised himself slightly on his elbow and said, "I understand you are the man who shot me yesterday, and then after wounding and disabling me, hit me on the head with your pistol."

I answered, "Yes, I reckon I am the man." To which he replied, "Well, I just wanted to tell you that the shooting was all right, but a brave man would not have hit me as you did, after I was helpless." I said: "I only struck you when I failed to break your grip on my coat. I had to get away from you or be killed or captured; with you hanging to me I was helpless to defend or take care of myself, and as it was I barely made my escape. You ought to be thankful that I did not shoot you again. I am sorry I had to hit you. Did I hurt you much? I hope not, either by my shot or blow." He could not see it as I saw it, still insisting that a brave man would not have hit him, and finding that he was in an angry mood and not inclined to tell me anything about the extent of his injury, I turned to leave, when he said, "You not only treated me as you did, but one of your men robbed me." I said, "You say that one of my men robbed you." He said, "I do not know that it was one of your men, but it was a rebel cavalryman; he took my pocket book and my watch." Instantly it occurred to me that it was really one of my men who was the guilty party. I asked him to describe his watch and tell me how much money had been taken from him. He described the watch, and then pausing he said, "I am not sure he took my pocket-book—I was so weak and dazed—but I know he got my watch, for I hung on to the chain and he jerked it away from me." I said, "Well of course I do not know who has your watch, but I will make an effort to recover it for you, and if I find it you will see me again. Good-day."

On my return to camp, I sent for my man who had the watch "taken from a dead man." He reported to me promptly, and as he approached me I saw a handsome gold chain suspended from his jacket pocket. I said, "I hear

you got a gold watch yesterday after the fight, off the person of a dead man. I would like to see it." Without hesitation he drew it from his pocket and handed it to me. I found the case answered the description that had been given me. I opened it and there were the identical words, "From father," which the wounded man had told me were in his watch; the chain was also in accordance with the description I had of it.

I said to the man, "I am sorry you have disgraced yourself and reflected on your company. You are, I believe, the first man of my company who has ever robbed a wounded man. I shall keep this watch and return it to its owner, who is in the hospital at Brandy Station."

He declared he thought the man was dead or about dead when he took the watch, and denied taking the pocket-book. I told him the officer said he had taken the watch by force; this he also denied. I reprimanded him severely and threatened to court-martial him if I ever heard of his robbing a prisoner, wounded or not, again.

I delivered the watch to the owner the same evening I recovered it. His entire demeanor changed. He thanked me time and again for recovering his watch; repeatedly begged me to pardon him for his harsh language in the morning; told me about his wound, which while severe was not dangerous, and we parted, as he expressed it, "good friends." For many years I preserved his name and rank on a slip of paper upon which he had written them, but I have lost the slip, and I am unable to recall either. The affair was so soon over and my effort to extricate myself from him and get away so vigorous I did not notice his rank, or if I did I do not remember it. I hope yet to find the slip with his name and rank on it.


## CHAPTER X

### UPPERVILLE AND INCIDENTS.

**Twelve Days of Almost Continuous Cavalry Fighting—Major Von Borcke—A Drink of "Mountain Dew"—Two Wishes for Wounded Purloughs and What Came of Them—The Fight at Upperville—I Receive a Supposed Mortal Wound—The Brave Timberlakes—Told That I Would Die—The Roar of Gettysburg Heard a Hundred Miles Away—A Man Who Would Not Fight—Happenings While Recovering—My War Home—Fate of Lieutenant Buck—A Brave Color-Bearer—Charles Broadway Rouss—Stuart's Raid Around the Federal Army.**

From June 9, Brandy Station, until the 21st, there were continuous cavalry engagements of immense magnitude and with the most bloody consequences. The names of Aldie, Middleburg, and Upperville were raised from obscurity and made historic. These fields, especially the last named, will figure in all time to come as the scenes of as desperate cavalry fighting as the world has ever seen. Lee's army was on its Gettysburg advance, and the main body was moving toward the Potomac by way of the Shenandoah Valley, and our cavalry was engaged in covering its movements, while the Federal cavalry were active and alert in an effort to discover the movements that were being made and to search out the purposes of Lee. We were guarding all gaps and passes in the Blue Ridge Range for miles and obscuring the course our army was taking and concealing the design of our immortal Commander-in-Chief. We succeeded well, but it was an arduous job, crimsoned with human gore.

At Aldie the lion-hearted Major Von Borcke, a Prussian soldier who was serving on General Stuart's staff, was most seriously wounded. He was a man of immense proportions and a Hercules in strength, and delighted to charge with his heavy sabre raised above his head ready to descend with terrific force upon any enemy that might be so unfortunate as to come within his reach, rather than use his pistol. Instances of death or severe wounding from the stroke or



thrust of the sabre were comparatively few, but Von Borcke did far more execution with his bright and gleaming blade than he did with his pistol, and I do not believe there was a soldier on either side whose record for sabre execution could compare with that of this noted Prussian dragoon as he flashed his blade under the rustling folds of the stars and bars. He recovered ultimately from his wound and lived to the end of the struggle, and then, with a heart sad over the defeat of the South, he returned to his native land.

I shall only speak specifically of Upperville, as it is more indelibly impressed upon my memory than either Aldie or Middleburg, for it was there I received what was regarded at the time by the surgeons who saw me as a surely mortal wound.

On the night of the 20th of June my squadron was on picket at what was called the Pot House. It was a stormy night, and when we were ordered to join our regiment the next morning we were as wet as if we had been dipped in a river. As we were getting ready to mount, Capt. Albert Swindler, of Company G, who had been picketing near me, sent for my canteen; when it was returned to me it was full of what he called "mountain dew," distilled from pine tops. I drank some of it; it was as strong as aqua fortis, and pretty stimulating; all of my men who wanted it took a draught, until there was very little left, but that little proved to be of great benefit before the day closed, as will hereafter appear.

The regiment was gathered together, and we marched in the direction of Upperville. On the march Lieut. Walter Buck, of the Seventh Regiment, who had been detailed to gather forage for his regiment, joined and rode with me. He knew most of my men, as they were from his county. As we rode along chatting, we both expressed a desire to see home folks, but we concluded there was no chance unless we could get a wounded furlough, and we both expressed a willingness to receive a little wound so that we could see our loved ones. I had an intimation that General Lee was bound for Maryland, "My Maryland," and if so, a slight

wound would give me an opportunity of looking in on my mother and sisters at home. In half-play and half-earnest we discussed the kind of a wound we would like; he wanted his in the leg so his arms would be free to embrace the girls who would greet him, if they would let him; I decided to take mine in the arm, so that I would have my legs to get away on, in the event it became necessary in the Union country in which my home was located. All this time we could hear firing in front of us, and we were sure that we would soon be in the fight; neither of us ever dreamed what terrible fortune to both was just ahead, and that in a very short time he would receive his everlasting furlough and I would be left for dead on the field. Still it was just what happened.

When our regiment got to Ayer's farm, near Upperville, we found our front absolutely blue with cavalry and infantry. Dividing the field we were in and a field the enemy occupied ran a road, with a stone fence on either side, in which there was an occasional gap.

I was ordered to charge the enemy. I gave the command and away we went, until we struck the lane, and there we had to stop and engage the enemy with our carbines and pistols. In the meantime the enemy had been pouring a galling fire into our ranks, and our men and horses were falling fast. I do not think we were there more than ten minutes when I was ordered to fall back, and as I was forming my company to take it off in order, I was struck by a carbine ball which pierced my left chest. Motioning—I could not speak—to Lieutenant Rouss, or Baylor, I have forgotten which, to take command, I fell limp and unconscious from my saddle. I was, however, sufficiently conscious to feel my men unbuckling my sabre and pistols to take them away with them. I have no recollection of what occurred from that moment until I was aroused to partial consciousness by violent pain, and I found myself astride of a horse, with strong arms around me, going at a rapid trot over a rough road, and a man riding on either side, aiding in keeping my limp body on the horse.

They carried me to a house near the base of the Blue Ridge and left me, as they supposed, to die. Their only purpose had been to save my body, and they had risked their lives to do it, and it has always been a wonder to me how they all escaped uninjured, for myriads of bullets, I have been told, were fired at them.

The soldier who carried me from this field was Sergeant Seth M. Timberlake, of Company B of my squadron of the Twelfth Cavalry. He was one of a large family by his name who lived in Frederick, Clarke, and Jefferson Counties. As to the two assistants, there has always been a dispute.

The Timberlake family furnished, I am sure, as many soldiers to the Confederate Army as any family in the South, and they were nearly all in the cavalry. If I were called upon to name the bravest family, numbers considered, I knew or heard of in the Army of Northern Virginia, I would without a moment's hesitation name the Virginia Timberlakes. More than a dozen households were represented in the army, and without an exception they were brave and true to their very marrow. I firmly believe if a thousand Timberlakes could have been martialled on the banks of the Potomac, well mounted and equipped, and put under the command of a Timberlake, and ordered to the Commons of Boston, some of them would have reached that historic ground unless they had fallen on the way. Nothing short of death or disabling wounds would have checked them.

Sergeant Seth M. Timberlake, to whom I have referred above as the soldier who carried me from the Upperville field, took one chance in a hundred of escaping death when he returned to me. He still lives, and is connected with the house of Charles Broadway Rouss of New York, and retains as a war relic his old McClellan saddle with my blood stains on its skirts. He is now far down on the shady side of life, but the spirit of the Timberlakes still lives with him. May God lengthen his days far beyond man's allotted time.

The surgeon of my regiment was sent to me at the house

on the mountain slope. He found the ball had passed through the sack of my heart, just escaping it as it was contracting, and ranging slightly upward had come out about midway between the point of my shoulder-blade and spinal column, lodging, somewhat warped and twisted, in the padding of my coat. He told me that I could not live, and if I had any preparations to make he thought I had better make them. He was a brusque, abrupt fellow, and by no means a favorite in the regiment. His remark or information irritated me, and I said, "You don't know what you are talking about; I intend to live, and the only preparation I shall make will be to get well, and I will try and get some other surgeon." This statement is substantially, if not exactly, correct.

I received my wound about five o'clock in the afternoon; it was about eight when I was coolly told I must die. I was very weak from the loss of blood, and I was suffering pain from the wind sucking through my lung whenever I breathed, so I asked the lady of the house to give me something to plug up the hole with. Instead, however, she brought a piece of cotton cloth of several thicknesses, wet with water, and laid it over my wound. This gave me instant relief, and in a few moments I dropped off to sleep and slept perhaps an hour. When I awoke I felt stronger and better. The night passed and the day dawned and I was still alive, to the surprise of the surgeon, who spoke of my wonderful vitality and said I had a good fighting chance to get well. He then bade me good-by and said another surgeon would look after me. This was agreeable news to me—his departure and the coming of another surgeon.

The substituted surgeon was Doctor Thomas Settle, surgeon of the Eleventh Regiment, whose home was at Upper-ville. He took me in hand and gave me the most careful attention. His presence in my chamber was a benediction; his face was like a sunbeam; his voice, soft and mellow, was like music to my ear. On Wednesday, three days after I was shot, my mother, unexpectedly but to my supreme

joy, reached me. In twenty-four hours she had driven about sixty miles, over rough roads, through swollen streams and the darkness of night, and was on her knees at the bedside of her first born and "Confederate soldier-boy." She relieved the sweet woman who had been ministering with the tenderness of a sister to my wants. As I laid flat on my back in my bed I heard distinctly the roar of the cannon at Gettysburg, a hundred miles away. I did not know where it was, but I knew it was the resounding of cannon, and that a great battle was in progress somewhere beyond the waters of the Potomac. The sound kept me stirred and excited, so Dr. Settle, under the pretense of being afraid I would catch the ear-ache, to which I had been subject before leaving home, stuffed cotton in my ears to deaden the sound.

I had in my company one man who would not fight; he would do any duty but fight; he would flunk every time there was any danger and keep out of harm's way. In the evening at Upperville as we were about to make our charge, and I was riding to the front of the squadron, I saw this man, whom I shall call Smith, in the rear file of the squadron. His face was as long as a fence rail and he was snuffing danger in the air. I determined that he should go into that fight, so I detailed Sergeant James Grubbs, of Warren County, who knew nothing but to obey orders, to take Smith into that charge and keep him in the fight as long as it lasted. I thought no more of the matter until about candle light that night when, lying on a mattress on the floor of the mountain home, to which I had been carried, all at once I saw Smith bending over me apparently deeply affected. I spoke to him in feeble tones. He said, "Captain, I am mighty sorry to see you are wounded. Are you much hurt, Captain?" I replied, "Yes, but I will pull through." "Well, Captain," he said, "that was the hottest place I was ever in. I had that fine sorrel mare of mine killed down there near the stone fence, and a bullet burnt my b——y clear across, just there," pointing to the place. The sergeant had obeyed his orders and put him in the fight, but Smith made no allusion to that fact.



Morgan County did not furnish more than twenty soldiers to the Confederate Army. Among them was Johnson Orrick, the delegate in the Secession Convention, whose father had been a prominent citizen and a successful farmer.

Orrick enlisted in some company which I cannot at this time recall. As soon as I became a captain he secured a transfer to my company, with which he remained until the Maryland Campaign of 1862 was over, when he was appointed quartermaster of an infantry regiment—the Thirty-third.

Our fathers were about the same age, had been friends in their boyhood, and warm personal and political friends in their young manhood, and until "God's finger touched them and they slept." Each had been married twice, and each had attended the other's weddings. In February, 1856, they were both taken sick the same day and almost the same hour; they died within a few hours of each other; they were buried the same day, one in the forenoon, the other in the afternoon, in different cemeteries, six miles apart. Different ministers of different religious denominations preached the sermons respectively, and without any understanding between them they took the same text:

"And as it is appointed unto men, once to die, and after this the judgment."

On the 21st day of June, 1863, at five o'clock in the afternoon I was wounded at Upperville; almost the same moment Johnson Orrick was wounded in Maryland, for although he was a quartermaster, he was "a fighting quartermaster." In a few days he died, while I was hovering upon the brink of eternity. I shall never, no never, forget the impression his death made upon my mother. She recalled the facts in connection with the lives and deaths of our fathers, of our entering the army together and being wounded at the same moment. Her soul sank within her, for she felt that the hand of fate that seemed to have held father to father, and son to son, so closely together would not be withdrawn, and that I must soon die. But God in His Infinite Wisdom stayed the hand from day to day, and

her face began to brighten and her hope to strengthen, and I broke the spell which seemed to have followed long, and lived. Never while life lasts will I forget the joy that lit up the face of my mother when my surgeon told her I had passed the crisis and would recover.

Under the splendid care of Dr. Settle, one of the most skilful and successful surgeons in the Army, and the watchfulness and excellent nursing of my mother, I began to improve and gather strength, and in less than a month after I was hurt I rode six miles on horseback across the Blue Ridge to escape capture by a Federal raiding party, crossed the Shenandoah River in a boat as the raiders appeared, and made a dash to the river, and taking command of some Confederates who had been left there to guard the ferry, opened fire upon the raiders and drove them back. I was of course very weak, but the occasion inspired and strengthened me while the firing was going on, but when we had driven the raiders off and prevented them from destroying the ferry-boats, I almost collapsed, and was put into a buggy and driven about three miles to Millwood, where I was cheerfully received into the home of Mr. James Ryan, and in a few days, through the kind nursing and ministrations of Mrs. Ryan, I felt strong enough to stand a drive to Winchester and there found quarters with Mr. Robert C. Gustin, who was a Southern refugee from my West Virginia home, and a friend from my boyhood. Here I had a relapse and was perhaps as near death's door as when I was first wounded, and for days I lingered on the brink of eternity. Surgeons held their consultations and they all agreed my condition was exceedingly critical. I believe everybody thought I would die, but myself; I never had any other idea than that I would live. My mother had come on and had again taken charge of me. Among the surgeons called in consultation was Dr. Hunter McGuire, whose after fame was not confined to the limits of this land, but extended to foreign lands. His statue in bronze now stands in the beautiful Capitol Square at Richmond.

A year or two before he died Dr. McGuire published some of his war reminiscences, and among them he mentioned

his visit to me in Winchester. He said when he stepped up to my bedside and saw where the places of entrance and exit of the ball were he remarked, " 'Why, O'Ferrall, that ball ought to have hit your heart; how did it come to miss it?' " and I replied, " 'It didn't strike my heart, Doctor, because my heart was in my mouth.' "

As soon as I could be moved with safety I was sent up the Valley in an ambulance, with a young sister of mine and one of my company, Alfred Ferguson, now an honored citizen of Winchester, whose war record is as untarnished as a descending flake of snow, and a man true in all the relations of life. At New Market, my war home, the door of Jacob Clinedinst was thrown wide open to me as the ambulance stopped in front. From this entire family I received the kindest attention, but I would be false to my own feelings if I did not mention especially one of the young ladies of the household, Miss Eliza. She was as a ministering angel to me; every wish, whim, or caprice of mine she gratified; every dainty that could tempt my appetite was prepared for me by her own hand; my room was kept redolent with flowers. She took turns with my sister in reading to me, and nothing that she thought would give me pleasure or relieve the tedium of my confinement escaped her. She was an enthusiastic Southern girl, ready to serve the cause in every possible way. For some years she has been the wife of a Mr. Crim, of New Market, and believes as firmly now that the South was right as she did forty years ago.

When I had recovered sufficiently to get about I was invited by Mr. Amos Crabill to stay with him. I accepted the invitation and think I remained with him until I was ready to return to duty about the middle of September. Mr. Crabill could not have treated me more kindly if I had been his own son.

It would delight me much if I could speak at length of New Market. I have called it my war home. My own home, as I have said, was within the enemy's country. The people of New Market nursed me three different times when wounded. Every house was open to me. I knew everybody and everybody knew me.



The whole town was loyal to the core, and sent her full quota to the Army, and without an exception, as far as I ever knew or heard, her soldiers reflected credit upon themselves and the flag under which they fought. The Rice battery was recruited from this town and surrounding country, and it became famous for its splendid services and fighting qualities. Its commander, Captain William H. Rice, lost a leg, but he survived the war, and still lives an honored citizen of Shenandoah County. The Henkels, Zirkels, Shirleys, Neffs, Rices, Williamsons, Hoovers, Prices, Moffets, and scores of other families I could mention were as loyal to the cause of the South as were the patriots of '76 to the cause of the Colonies. It was at New Market that the last armed body of Confederate soldiers disbanded.

Having now given, in perhaps too full detail, what followed my expressed desire for a "furlough wound" at Upperville, I come to the fate of my dear comrade, Lieutenant Buck, who expressed a like desire. When we made the charge he was by my side in the front of the squadron. He was a tall, handsome young fellow, near my age; he was well mounted, and was a typical Southern cavalryman; he had been trained by Ashby the first year of the war, and had won his lieutenant's spurs by his chivalry and daring.

I do not remember seeing him at the stone fence, but he was there, as attested by his dead body. I was told he saw me fall and started to me, when he was struck by a ball and instantly killed. So, as I have said, we both received wounds—"furlough wounds"; his wound furloughed him forever, mine for months, and almost eternally. His body was recovered and buried at his home in Warren County, and on no mound should grass grow greener or roses bloom sweeter than upon his grave. He added a leaf to the laurel wreath of the Bucks, whose members in the Confederate Army were many, every one of whom was entitled to a medal of honor. It was most truly a family of fighters.

For some time prior to the Battle of Upperville the color-bearer of the Twelfth Cavalry was Tom Garber, a member

of my company. Colonel Harman was Tom's cousin, and when Tom came to the regiment he asked his advice as to what company he should join, and the Colonel told him he thought Company I would suit him, so he enlisted in my company.

It did not take me long to determine of what metal he was made. In a fight he was in his element, and the hotter it was the better he liked it. He was only seventeen years of age, yet he was over six feet in height, splendidly built, and much more mature every way than most boys of his age. He had been raised in the saddle and was a superb rider. A vacancy occurred in the color sergeancy of the regiment—how it occurred I do not now remember, and Tom applied for the position and it was given to him, and never in any war, on any field, were the colors of an army more grandly and heroically borne.

He entered the charge at Upperville in the van, with his colors streaming in the breezes above his head as he charged down the field to the stone fence. There under the rain of lead he stood waving the stars and bars until just as I was shot, when he reeled in his saddle, and still clinging to his flag staff he fell to the ground dead. He was a brother of Major A. H. Garber, of Richmond, whose record as the commander of Garber's battery is too well known to require any encomiums from me. Of all the brave and intrepid boys whom it was my pleasure and privilege to observe during the four years of strife, I never saw one who was the superior of Tom Garber; and as brave and dashing as our cavalymen were generally, I do not detract from them when I declare that I recall comparatively few who were his equals, taking him all in all. He rests in Thornrose Cemetery at Staunton, beneath the sod of old Augusta, and while she can boast of many gallant sons, she had none more gallant than the young color-bearer of the Twelfth Cavalry who yielded up his life at Upperville.

The unique Charles Broadway Rouss served as a private in Company B (Baylor's company), which, with my com-

pany (I), composed the squadron I commanded from August, 1862, to June, 1863—it was the First Squadron of the Twelfth Regiment of Virginia Cavalry.

Milton P. Rouss, a younger brother, was first lieutenant of Company B, and made a reputation for energy and daring surpassed by no officer in the regiment. Charles Broadway, the second name having been assumed by him some time after he located in the city of New York “as poor as a church mouse,” was in many respects a most remarkable man. He possessed as much determination and will-power as any man I have ever known.

The word “fail” he had stricken out of his vocabulary, and over it he had written in living letters the word “success.” Starting business as a stranger and without friends or financial aid amid the busy throng and seething masses of the metropolis of this immense country, in the course of a few years he became a prominent figure in the mercantile circles of the vast city. He continued year by year to grow in prominence and wealth until his recent death, when his estate was rated among the millions. While success was attending him in every venture or undertaking he lost none of his love for his old State or war comrades. Without ostentation or trumpeting, but quietly and without display, he contributed liberally to aid his impoverished people and to erect public buildings, and met the calls of charity without stint. He made a handsome donation to the University of Virginia, founded by Thomas Jefferson, from whose walls have walked forth thousands who have made their mark in the councils of the nation, at the bar, in the pulpit, and in the arts and sciences, and in war.

He remembered his comrades who in the din of battle had proved themselves worthy to stand among the South’s true and loyal defenders, and his pay-rolls will show the names of hundreds to whom he had given employment and succor in their days of need. With his soul still burning with Southern fervor he announced several years ago his readiness to contribute \$100,000 toward the erection of a Confederate Museum, and before long a grand and magnificent

structure will be erected in the City of Richmond as a monument to the heroism and devotion, sufferings and sacrifices of the Southern people in the cause they loved well and baptized copiously with their blood.

In 1895, at the Confederate Reunion in Richmond, I invited Mr. Rouss to attend the meeting and be my guest. I received a reply, written in his peculiar style, so familiar to the whole country. Spelling phonetically, he expressed his regret that his blindness would deprive him of all pleasure if he attended, and for that reason he declined my invitation with hearty thanks.

This space has been given to this imperfect tribute to Charles Broadway Rouss because I have felt that he deserved a place in these reminiscences. He was a member of my squadron, a faithful soldier, a loyal son of Virginia, and a devoted lover of the cause which, though lost, is garlanded with glories.

Rouss, as I have just said, was a member of the squadron I commanded. I love to write of this squadron and the men who made it famous. It was the charging squadron of the Twelfth Regiment, and when leading it in a charge I never thought of looking back to see whether it was following me with closed ranks and every man in his place, for I knew all were, except two, who I was sure would shirk and skulk. One of these I have already mentioned, withholding his real name for the sake of his kin; the other was a fellow whom I had never known to get within range of a bullet as long as he was under my command. But the time came when skulking would not avail him. It was on General Stuart's remarkable raid around the Federal Army. Of course nobody except Stuart himself and a select few had the slightest idea of his purpose.

The venture is known to have been one of the most hazardous of the war, and its success was regarded as a marvel. The Federal cavalry in immense numbers were soon upon his trail, and finally in his front and rear and on his flanks—in a word he was surrounded, and time and again he had to cut his way out. This skulker was with

his command, frightened almost to death, but he could not skulk, there was no rear to which he could fall back as he had always done and secure safety, so in his desperation he began to fight, and he continued to fight until the raid ended and I was told that thenceforward to Appomattox he was as good a fighter as the squadron had in its ranks. It is the only instance I ever heard of a man who had for three years displayed the most abject cowardice being suddenly transformed into a brave man. It was a piece of transformation which I must leave to a wiser head than mine to explain.

In my squadron was a small, fair-haired young fellow,—a private,—modest, sweet-tempered, lovable, always at his post, never seeking promotion and seemingly not caring for it—who was destined to rise to pinnacles of fame in the walks of peace. He became a prominent lawyer, a distinguished member of Congress, and Postmaster-General of the United States, and at his death was President of Washington and Lee University.

It was William Lyne Wilson, of whom additional mention will be made in the second part of this book.

Where the discharge of duty was so universal, as in my squadron, it would seem to be invidious to select a few for special reference, but at the risk of being charged with partiality there are some of my men whom I shall pick out for tributes, which no member of my squadron can say are not worthily and truthfully bestowed.

Among the best all-around soldiers in my squadron were privates Tim Baylor, Bob Wright, Charlie Crane, John Chew, Will Thomson, and Frank Manning, of Company B—the first three of whom were killed; Sergeant James Grubbs, Corporals Bushrod Rust and Enoch Lake, and Private Lewis Coverstone, of Company I. They were always ready for any duty; no danger ever appalled them; no venture, however perilous, ever daunted them; they delighted in the charge; they were steady and firm in the standing firing line, cool and nervy under the most trying circumstances. They were always well mounted, they took



excellent care of their horses and equipment (a prime duty with a cavalryman), and day and night they were quick to respond to any call.

Corporal Rust was not more than a lad in age and size, but he was a full-fledged man in all the attributes of a true soldier. He is still living, a beloved citizen of the City of Roanoke, Virginia. May God lengthen his days and preserve him long to his people, whose confidence and esteem he possesses to the fullest degree.

Occasionally there would be a truce on the picket line and there would be no firing. In the winter of 1862-63 I was on picket below Charlestown near Halltown on the Harpers Ferry Pike. Between the lines a creek of clear, cool water from springs crossed the pike and wended its course to the Shenandoah. Often I have ridden forward with two or three of my boys, during these truces, to this creek and met the officer in charge of the Federal picket line with an equal number with him, and while our horses were drinking the sparkling waters we would converse and probably exchange newspapers, the boys in gray trading tobacco to the boys in blue for sugar or coffee. Several times I met Captain (afterwards Major) Vernon, of a Maryland cavalry battalion, a handsome fellow, and as gallant and brave as he was handsome.

Some time after these truce meetings had ended, in a charge which he was splendidly leading, Vernon lost an eye from a Confederate bullet. In the spring of 1864 he made a dash up the Shenandoah Valley, and at Edenburg took one of the companies (I) of my regiment, commanded by Captain H. H. Riddleberger, late United States Senator and recently a prominent figure in Virginia politics, entirely by surprise, and captured many of the horses of the company, and carried them safely to his camp in the lower Valley. He was so energetic and bold that we were compelled to keep a watch out and be vigilant lest "Vernon's cavalry" would steal a march on us and catch us napping.

During one of the Republican Administrations of National affairs in later years Vernon was appointed to an import-

ant Federal position—collector of customs, I think—at the Baltimore port, which he filled with perfect satisfaction, as I was informed. I am under the impression that he is still living and that he resides in Frederick City, Maryland.

There was nothing that exemplified more fully the fact that there was no malice in the hearts of the soldiers of the two sides—one toward the other—than the meetings I have just described. The men were as chummy as circumstances would permit; there were no cross words spoken, no crimination or re-crimination; and yet perhaps in less than an hour they would be eagerly engaged in an effort to kill or maim each other. Such is war,


“That mad game the world so loves to play.”

## CHAPTER XI

### PICKET AND SCOUT DUTY.

Promoted to Major and Authorized to Raise Battalion of Cavalry—  
Picket and Scout Duty—An Experience with some Reinforcements  
—My Command Merged into the Twenty-third Regiment of Cavalry  
—The Scarcity of Horses and Some Prices—A Raid on My Old  
Home—Our Captures and Federal Reprisals for Same.

I did not return to my squadron or regiment after I recovered from my lung wound. I was promoted to major and authorized to raise a battalion of cavalry. I went to work at once and in a short time I had gathered around me quite a nucleus of young fellows who lived within the enemy's lines and others who within our lines had become or were about to become liable to military service. My old company was anxious to come to me, and I received a petition to be presented to the proper authorities for a transfer, but I was satisfied it would be futile so I never presented it. It was, however, most gratifying to me to have this evidence of the esteem of men with whom as lieutenant and captain I had been closely associated from April, 1862; whom I had commanded from August, 1862; whose courage and devotion I had seen tested scores and scores of times, on picket, in skirmishes, engagements and pitched battles; who had been weighed in the scales of chivalry and loyalty and never found wanting. My affection for them was strong; for some of them I had a brotherly feeling. It was hard for me to part with them, but I had the desire that most soldiers have—that of promotion. A major's star was more attractive to me than a captain's bars, and besides the thought that I would be the commanding officer of a battalion and not a subordinate officer in a regiment was alluring to me. Still I knew that the regiment to which I had been attached had won fame and glory, and did not know with what credit my battalion of new and untried men would acquit itself. This thought sometimes almost caused me to



regret that I had accepted my promotion, but I would reason that the boys who would come to me had the same Virginia blood in their veins, they had been taught by the same kind of Virginia mothers, and that the fathers or brothers of most, if not all of them, had done their duty and chiseled their names on the scrolls of the brave and true; then why should I fear that my boys would prove themselves recreant?

I was put on picket and scout duty in the Valley. My embryo battalion gradually continued to grow until I had two pretty full companies.

In the early part of December, 1863, the First Regiment of New York Cavalry, under the command of a Colonel Boyd, commenced an advance up the Valley. The weather was bitter cold, and as I confronted Boyd with my partly-formed battalion and such men "on leave" and wounded furloughs as I could gather up, in the bleak winds and freezing atmosphere, with numerous roads to guard and at the same time to keep a force in front of the advancing regiment, I had a difficult task. Still we were able to so oppose Boyd's advance and to make such a demonstration in his front as to cause him to move slowly and cautiously and "feel his way." With not more than fifty men with me and in his front, it took him from early morning to sunset to move his regiment from Edenburg to New Market, a distance of twelve miles, at which latter place he encamped for the night.


I established my picket line about two miles south of him, put my reserve two miles farther up the Valley, and then being nearly exhausted and suffering from my injured lung, I rode with a courier or two to Lacey Springs, to get shelter from the stinging cold and some rest. I was received into the warm Southern home of Abraham Lincoln (a cousin of President Lincoln), who still lives, vigorous and strong, far up in the eighties, in the same home in which he was born and reared, esteemed by all his people. I rested well and at sunrise, after enjoying a good break-

fast, I mounted my horse and with my couriers rode to the camp of my reserve.

I had hardly reached there when a picket announced Boyd's advance. Taking my reserve I fell back up the pike, sending orders to the pickets to fall back, keeping a safe distance from the enemy, but never to lose sight of them, and if they left the pike to inform me at once.

At Lacey Springs I met a body of fellows who had been sent from Harrisonburg to reinforce me—there were perhaps seventy-five of them; they were of all sorts—conscripts, quartermaster's clerks, camp-loafers, with here and there a real soldier. I conceived the idea if I could place them in a position of safety, where they could fire without the fear of being shot at, I might make use of them and possibly do some execution with them. I thought instantly of a place to station them, so I marched them south about a mile to a piece of woods in a hollow on the side of the pike, and which could not be seen by any body of troops approaching it from the north until they were right on it. Here I stationed them, and told them that I wanted to toll the enemy into a trap; that I would instruct my men to induce the enemy if possible to charge them and to retreat by the place, and when the enemy's column was well abreast of us they should fire into the flank; that they must be cool, and after delivering the fire they must charge, and I would lead them. I rode back to an elevated point overlooking the pike for quite a distance.

Soon I saw the Federals advancing and my men falling back before them. When they had reached a point perhaps half a mile off, the Federals charged and my men retreated. I galloped back into the woods, told my "reinforcements" the enemy would be upon them in a minute or two, and that they must remember their orders. On the Federals came, by the woods my men swept, and when the Federal flank for at least a hundred yards was exposed, three or four only of the miserable fellows fired, and then the whole crowd broke with break-neck speed back through the woods, scattering as they ran like a flock of wild turkeys when flushed



by a hunter's hound. Instantly the Federal cavalry dashed into the woods, and in my efforts to escape my hat was knocked off by a limb of a tree, which was a great loss, particularly the plume, for hats and plumes were then worth much more than their weight in fractional Confederate currency. I felt somewhat reconciled to my loss when I found that a dozen or more of the cowardly scamps had been captured.

The Federal cavalry encamped that night just north of Harrisonburg. The next morning they occupied Harrisonburg for a few hours, and then took up their backward march down the Valley.

I was much pleased with the manner in which the inexperienced and untried boys of my new battalion had behaved, and I was satisfied I was gathering around me the same kind of boys who had won fame and victory at First Manassas. I was soon ordered to the Page or Massanutten Valley, and there continued on scout and picket duty.

In the early spring of 1864 my battalion was consolidated with a larger battalion,—Colonel Robert White's—forming the Twenty-third Regiment; Colonel White, an energetic and brave officer, became colonel, I was made lieutenant-colonel, and Captain F. H. Calmese was made major.

In April, 1864, the Twenty-third Regiment was encamped at New Market. The spring campaign had not fully opened, but everything indicated that we should have warm times very soon. I had quite a number of dismounted men—men who had lost their horses in battle, or whose horses had been disabled, or had died from disease.


Horses were scarce and hard to get, and if they had been ever so plentiful my men could not have purchased them, when an ordinary horse brought readily \$2,000 to \$3,000 in Confederate money, and the private soldier got \$14 per month in the same currency. As our government did not supply cavalymen with horses, they had to furnish or capture their own.

It had been reported to us that on a certain Saturday night in every month an organization of citizens, called a

"Union League," met in the Odd Fellows Hall in the town of Berkeley Springs, my home; that its members were generally countrymen and rode into the town to the meetings on their horses. I did not like to raid my old friends, but I argued that they were Virginians, and as they had contributed nothing toward the support of the Confederacy in her struggle it would not be wrong for me to impress a few of their horses for my dismounted men. So one Thursday I mounted twenty-eight picked men on picked horses, and taking Captain Jack Adams with me we started to Berkeley Springs, distant eighty-five miles, near the Potomac River, and only six miles from Pennsylvania. We arrived in the neighborhood of Unger's store, eighteen miles from our point of destination, near daylight Saturday morning, and laid in a hollow in the mountains until about four o'clock in the afternoon, when we took up our march for Berkeley, moving along rapidly down the main road. We reached the town about eight o'clock, and just before doing so I divided my men and sent half of them with a guide who was a former resident of the town to secure the horses belonging to the Leaguers, hitched some distance from their place of meeting, and with the other half I rode quickly to the Odd Fellows Hall.

I sprang from my horse, and in an instant I had the sentinel at the door leading up to the hall a prisoner; in a minute more Captain Adams and I had thrown the lodge-room door open, and with our pistols covering them we were demanding the surrender of the Leaguers, who filled the hall well, and in another minute, surprised and frightened, they had all surrendered to us.

In the meeting were a West Virginia State Senator, Aaron Bechtol; a member of the House of Delegates, Joseph S. Wheat; and the Commonwealth's Attorney for the county, a man by the name of Finn. After putting all under guard I rode into the center of the town to my home and met my three sisters and little brother just for a few moments. When I returned to the hall I found the squad that had been sent for the horses; they had done their work well.



There was a Federal cavalry force many times larger than mine only two miles away, and I was nearly a hundred miles from any support, and was in danger of being cut off by another force, so it behooved me to make fast time backwards, and score as many miles as possible before daylight. Keeping, I think, five men with me to cover the rear, I put Captain Adams in command of the other men and horses, and the Senator, delegate, and Commonwealth's Attorney, and two Federal soldiers, whom we brought out, and directed him to take a certain road which I thought would be the safest.

By sunrise the next morning we were thirty miles from Berkeley, but were only about an hour ahead of a cavalry force that had been sent out from Romney to cut us off. Going into a gorge where I could have held a hundred men at bay with hardly a possibility of capture, we rested quietly. Late in the evening we moved a few miles farther, and then being upon strictly friendly soil and beyond harm's reach, we slept the sleep of tired and exhausted men. From there by easy marches we got back into our camp, without losing a horse or a prisoner, and with horses enough to mount all of my dismounted men.

After this raid two of my sisters, and several young girls who were Southern sympathizers, were arrested upon the charge that they had been sending me information which induced me to make my trip but a gallant Federal officer—Colonel David H. Strother, "Porte Crayon,"—interposed, and they were discharged in a day or two after their arrest. The fact is, I had received no information whatever from them; it had been brought to me by scouts.

I was really sorry we had captured Senator Bechtol and Delegate Wheat with the Leaguers. They had been friends of my father during his lifetime, and my friends after his death until I became a "rebel."

In my heart I wanted them to make their escape, which they could easily have done during the night as we were passing rapidly along the mountain roads, with thick undergrowth on the sides—in fact they had every opportunity;



but they could not summon sufficient courage to make the attempt, and daylight found them still prisoners in our hands, and I was compelled to send them and Finn to Richmond.

In a day or two after my raid a Federal cavalry detachment was sent to Winchester to make arrests in retaliation for the arrest of Bechtol, Wheat, and Finn. They arrested three of the most prominent and distinguished citizens of Virginia—Hon. Robert Y. Conrad, father of Hon. Holmes Conrad, Solicitor-General under the second Administration of President Cleveland; Hon. Philip Williams, father of Captain John J. Williams, who at his death a year or two ago was Grand Commander of the Grand Camp of the United Confederate Veterans; and Rev. Doctor Boyd, pastor of the Presbyterian church in the town. If the Federal cavalry could have had the State from which to select they could not have picked three more prominent, distinguished, and beloved citizens than the three they arrested in the town of Winchester, with her population not exceeding three thousand. How long it was before an exchange of these civil prisoners was effected I cannot definitely remember, but not very long; however, when the exchange took place we got three, while the Federals got only two—Finn, the Commonwealth's Attorney, having died in the Belle Isle Prison at Richmond.

Seven or eight years after peace came I met Senator Bechtol, and I was exceedingly gratified to hear from his own lips that he harbored no ill feelings toward me, and simply regarded his arrest as the act of a soldier who must obey his orders, however unpleasant it may be at times. In his conversation he gave me much valuable information in connection with the formation of the State of West Virginia, which would be interesting, as it is not generally known, but I must desist. There is, however, one thing he told me which I will repeat.

Wonder had often been expressed at the inclusion of the Counties of Jefferson, Berkeley, and Morgan within the boundaries of West Virginia—forming what is termed

"The Eastern Panhandle." I asked him what was the object?

He replied there were two reasons: First, The general Government desired to have the whole line of the Baltimore and Ohio Railroad from Harpers Ferry west to the Ohio River within the territory and under the jurisdiction of the new State. Second, That the legislature thought it well to embrace these three counties of the Shenandoah Valley within the boundaries of West Virginia as a nucleus to attract the other counties of the Valley, for in the course of a few years after the Union was restored it was thought they would rather be in the new than the old State, because of the past affiliation of the counties west of the Blue Ridge against the eastern counties in matters of legislation and State policy, and because the interests of the Valley counties would be more closely blended with the interests of the counties west than with the interests of the counties east of them.

I need hardly say that events have shown that the legislature did not reckon wisely, for all of the Shenandoah Valley counties, except the three severed, have been as true and loyal to the old Mother as her Southwestern, Piedmont, Southside and Tidewater counties. During the more than forty years since the new State was ruthlessly carved from Virginia's side each of her Valley counties has been as constant to her "as the Northern Star, of whose true, fixed, and resting quality there is no fellow in the firmament."

## CHAPTER XII

### NEW MARKET AND PIEDMONT.

**The Battle of New Market—Sigel's Force and What Opposed Him—  
A Complete Rout for the Federals—I Get a Chance to Repay the  
Kindness of a Federal Officer to My Mother—General Hunter on  
the Way up the Valley—The Eighteenth in a Trap—Piedmont  
Lost Through a Gap in Our Lines—Outrageous Bungling—Death of  
General Jones—I am Sent under a Flag of Truce for the Bodies of  
General Jones, Colonel Doyle and Colonel Brown—Treated in an  
Ungentlemanly, Unsoldierlike Manner by General Hunter.**

On May 15, 1864 the Twenty-third regiment was engaged in the Battle of New Market. A few days prior to this engagement we learned that a regiment of Federal cavalry was advancing from Luray in the direction of New Market, where the Eighteenth and Twenty-third regiments, the Sixty-second Regiment of mounted infantry, and McClanahan's battery of artillery, all under the command of General John D. Imboden, were lying.

Soon the Federal regiment was discovered on the top of the mountain, four miles distant. There they halted for a few minutes and then commenced to descend the mountain, coming directly toward us. The movement was a great surprise to us. We could not understand why this regiment should be moving in the very jaws of our brigade. We concluded that they certainly were deceived and that they thought we were Federal troops; our surmise proved to be correct. It was the First New York, and it had been ordered to join Sigel at New Market by way of the Page Valley. But instead of joining Sigel, they were making themselves our game, and we prepared to bag them. The Eighteenth and Twenty-first were ordered to saddle up and get ready. On the Federal regiment came, in utter ignorance of the mistake they were making, and but for information they received when they reached the foot of the mountain, about a mile from us, they would have ridden right into

our camp. They were told by somebody that we were Confederates, and they turned north, to the right, taking a road leading down Smith's Creek and running along the base of the Massanutten Mountain. As soon as we discovered this change the Twenty-third was ordered to proceed down the Pike, cross the fields, and get ahead of them if possible, while the Eighteenth was ordered to close in on the rear. Away went both regiments in a fast gallop. After the Twenty-third had gone about two miles it started to cross and get in front of the Federals on the Smith's Creek Road, but just as we got in sight of the creek we saw the Federal regiment heading in the direction of the Valley Pike. We pitched directly at them; but after firing a few shots as we approached them, they wheeled about and struck pell-mell, every fellow for himself, to the mountain road, pursued hotly by us and the Eighteenth, which had come up in their rear. Our chase resulted in our making many captures, but more horses than men, as the riders would abandon their horses and rush into the thick undergrowth of the mountain and escape. But the captures of men and horses necessarily rendered the First New York useless for some time—until it could be recruited and remounted.

On May 14 Sigel advanced to New Market with 6,500 men and perhaps thirty guns. He was met the next day by General John C. Breckenridge with a force of not exceeding 4,500 men, including the corps of Virginia Military Institute Cadets, and only about ten pieces of artillery, under McLaughlin. Sigel was completely routed, losing, I think, six guns and nearly 1,000 prisoners.

For some time previous to this engagement my mother had been writing to me whenever she had an opportunity to get a letter through the lines. In her letters she never failed to tell me of the kindness and protection she was receiving at the hands of Colonel Campbell and Captain Bonacker of the Fifty-eighth Pennsylvania Infantry, stationed at Berkeley Springs, where she lived, and in her last letter before this engagement she requested me to look after these two Federal officers in case they were ever captured by the Confed-

erates and I knew of it. The night after the battle, as I sat tired and worn out in the light of my camp-fire, my thoughts wandered homeward, and I recalled my mother's request. Thinking possibly the Fifty-eighth Pennsylvania had been with Sigel in the fight of that day, and, if so, it was likely Colonel Campbell and Captain Bonacker were with the regiment, I determined to ride to the field and inquire. So mounting my horse I rode to where the hottest fighting had occurred, where most of the Federal dead and wounded were lying, and burying parties were gathering up the dead and our ambulance corps were carrying the wounded to the field hospitals.

I was soon told by a wounded Federal soldier that the Fifty-eighth Pennsylvania had been in the fight and on the left of the Federal infantry line. I walked down toward where the Federal left had rested, and finally, after many inquiries, I was told by a wounded Pennsylvanian that he had heard Captain Bonacker had been wounded and was still on the field. I then commenced my search for Bonacker, the friend and protector of my mother and sisters, and in less than ten minutes, I think, my efforts were successful. I found a captain lying in a depression in the field, his knapsack under his head and a canteen of water at his side. Somehow I felt sure he was the man for whom I was searching, so bending down over him I said, "You are Captain Bonacker. Am I not correct?" He replied feebly, "Yes, that is my name; why do you ask?" I said, "Captain, I am Colonel O'Ferrall, and I intend to take care of you." He raised his hand and as I grasped it he said, "You are doing just what your mother told me her son would do if occasion ever arose and he had the opportunity."

Directing him to tell the ambulance corps if they reached him before I could return that I was his friend and would take care of him, I left him to find an ambulance; this I soon secured, and directing the driver to follow me I led him to where Bonacker was lying. I did not know where or how he was hurt, but I then ascertained that he was shot through the right lung. The driver and I raised him as gently as

possible and laid him in the ambulance. Tying my horse behind, I took my seat by his side. He was very weak from the loss of blood and I was afraid he would collapse, but while I was hunting for an ambulance I had secured a little whiskey or apple brandy, I have forgotten which, and I got him to swallow some of it, and this revived him. I ordered the driver to drive to the pike, which was near by and smooth, and thence to New Market. There I readily procured excellent quarters for him at the home of Mr. Frederick Zeiler, and in a very short time he was made as comfortable as his condition would admit. I called a surgeon and employed a nurse and remained with him myself until the next morning, when I had to return to my regiment. The second night I spent with him, and then, as we were ordered to move, I had to bid him good-by, leaving him in charge of a nurse by the name of McDaniel, and under the care of as skilful a surgeon as any in the Army, Dr. Caspar C. Henkel, of a family of surgeons and physicians. When I parted with him he was deeply affected, and I was exceedingly gratified that it had fallen to my lot to show my appreciation of the kindness he had shown to those who were near and dear to me when they were helpless. It was also most gratifying to me to care for a brave man who was ready to battle with men in the defense of a cause he had espoused, but whose manhood spurned the thought of warring against women and children. Here I shall leave Bonacker, simply saying that in a few weeks he recovered sufficiently to return to his Pennsylvania home.

Soon another Federal force of infantry, cavalry, and artillery, under General David Hunter, started up the Shenandoah Valley. In front, opposing this force, were the Eighteenth and Twenty-third regiments of cavalry, the Sixty-second Regiment of mounted infantry, McNeil's battalion of partisan rangers, and McClanahan's battery of artillery, all under General Imboden, and this force was not strong enough to do more than hold Hunter in check and retard him until additional troops could arrive. With admirable judgment and skill General Imboden performed this work.

On the evening of June 4 Hunter had succeeded in pushing his way to Mount Meridian, in the vicinity of Weyer's Cave, Augusta County. During the night of the 4th General William E. Jones, the old commander of the famous Ashby brigade, arrived at the village of New Hope, not far from Mount Meridian. He brought with him Vaughan's Tennessee brigade, and some odds and ends of different regiments, which had been hastily gathered together, and a regiment of reserves or home guards.

On the morning of the 5th Hunter sent forward his cavalry, which was met by our Eighteenth Regiment without support, and in consequence it was soon overwhelmed, and being caught in a lane with a high and strong fence on either side, with no opportunity to rally or form a line, it retreated in bad order, and but for the support of the Twenty-third and a company of mounted reserves under the command of Captain John N. Opie, a most gallant officer and now a Virginia State Senator, which came up just in the nick of time, the Eighteenth would have suffered very severely, for the firing upon its rear and flanks was terrific. As it was the loss was considerable, and General Imboden, who had gone to the front with the regiment, barely escaped capture.

The Twenty-third and Opie's company, quickly forming in a field, charged the Federal cavalry and drove them back. In the meantime General Jones was selecting his ground for the battle and forming his line. His infantry line, crescent shape, extended from the Mount Meridian Road westward to the North River; his mounted force was stationed east of the road, but through the failure of some one to obey General Jones's order a wide opening was left between the infantry and cavalry lines. Our infantry built rail piles and threw up such other breastworks as the material and means at their command would permit. Hunter advanced his infantry cautiously, and about two o'clock in the afternoon made his attack on our infantry line; he was repulsed; then he tried it a second, third, fourth, and perhaps a fifth time, and each time was repulsed; then came a lull, and suddenly

a column of infantry was seen moving double-quick up a depression in a field, which concealed them from our infantry, but not from our cavalry, in the direction of the opening in our line which I have mentioned. They had discovered the break or opening, and were rushing to take advantage of it. Our cavalymen understood their purpose, which was to strike our infantry on the flank.

Every cavalryman, looking upon this movement of the enemy from elevated ground, was in a state of excitement, and awaited breathlessly for orders, which he expected momentarily. In our immediate front there was no enemy and we had done no fighting since the morning. No orders came, and there we sat on our horses and saw the enemy reach the opening and half of them pass through and beyond it, then suddenly wheel to the right, from column into line, and rush upon the flank of our infantry line and lap around it; at the same time, we saw Hunter's line advance in front. We heard the terrific rattle of musketry, which betokened the death grapple of the two sides, and saw the dense smoke arising, telling the tale of gore reddening soil that had never before drank in human blood. The struggle was not long. About five o'clock that clear and beautiful June afternoon we had lost a battle which ought to have been won, and would have been but for two mistakes—first, in leaving the opening; second, in failing to order the cavalry to attack the column as it moved up the depression in the field.

There was most outrageous bungling at Piedmont. I am sure General Jones never intended to leave a gap in his line; I am sure somebody failed to obey his orders. Somebody was derelict in the discharge of his duty, but who the recreant was I know not.


It is the duty of an officer to assume responsibilities, and when his judgment tells him unquestionably that a thing should be done, and if not done direful will be the consequences, if he is in a position he should do it and take the chances of being cashiered. If such an officer had been in command of the right wing of our line at New Hope he would have attacked that Federal column if it had cost him



his commission and reduced him to the ranks. It is always disagreeable to me to criticise a fellow-officer, condemn him for any act of commission or omission, but truth forces me in this instance to lay blame at the door of General Vaughan for our defeat at New Hope. He ranked General Imboden, and sat quietly on his horse, awaiting orders, in spite of Imboden's persistent desire and the eagerness of the men to move upon the enemy. General Vaughan did not lack personal courage, and he would have led his men anywhere without wavering for an instant if he had been ordered, but his judgment must have taught him what orders he should have had and that his failure to receive them was the result of a mistake, oversight, inability, or want of knowledge, and he should have acted upon his own judgment and responsibility. If he had done this, instead of criticism and blame, he would have been the recipient of praises and plaudits and become the hero of the occasion.

For some minutes after the flank attack was made our men stood their ground manfully and displayed supreme courage; but soon they were subjected to a fire not only upon their flank, but from the front and rear by a vastly superior force. They then began to waver, and General Jones, who had been on the line all the time, and Colonel Doyle and Colonel Brown, who were in command of regiments at the point of attack, were all killed. Seeing these officers fall, our line gave way, and retreated toward the river, pursued by the Federals, and as retreating men ran down the line, they were joined by others, and soon the whole Confederate infantry was in full retreat toward the river, and upon its banks many were captured. When our line broke all the wagons of Hunter's army had been turned around and he was ready to retreat. But for the success of the flank movement, the result of inexcusable mistakes, we would have scored a victory with a meagre force, hastily collected, over a much larger force, well disciplined and thoroughly equipped.

After General Jones fell, General Vaughan assumed command. Directing me to remain at New Hope with two



squadrons as long as I could, not later than nightfall, and then fall back and join the army at Fisherville, he retired from the field without trouble. I remained at New Hope as ordered, was not disturbed by the enemy, and rode into camp at Fisherville about midnight.

The next morning I was summoned to General Vaughan's headquarters. Upon reporting to him he told me that he intended to retire to Rock Fish Gap in the Blue Ridge, near Waynesboro; that he wanted me to take two ambulances and a small squad and go on down the road over which I had come the night before, until I met Hunter's advance, and then raising a flag of truce, present a communication addressed by him to General Hunter, asking for the delivery to me of the bodies of General Jones, Colonel Doyle, and Colonel Brown, who as I have said had been killed on the day before. He then remarked significantly that I need not be particular about not holding them at a standstill under my flag of truce as long as possible; intimating that he needed time to get into the mountain.

With two ambulances and a squad of three men I started on my mission with my communication in my pocket. Six miles below Fisherville, if I remember the distance correctly, is Mowery's Hill. As I reached the top of it I saw the Federal cavalry advance a short distance beyond the Mowery homestead at the base of the hill. Instantly I ran up my white flag, and quickening my pace rode down the hill with my men. My approach was seen by the Federal officer, and with three or four men he advanced, and we met right at Mowery's house, under some trees by a stream of clear, cold water from his dairy, or spring-house, as it was called, that ran across the road. We saluted and introduced each other. He was Major Charles G. Otis, of the Twenty-first New York Cavalry.

As I had ridden along on my way from Fisherville I had been endeavoring to devise some scheme to hold the advance as long as possible, and had laid out a plan in my head. Whether it would work I did not of course know.

After the salutation and introduction I said: "Major, I am the bearer of a communication from General Vaughan, commanding the Confederate forces, to General Hunter, commanding the Federal forces. I desire to present it to General Hunter in person. Will you please communicate my desire to General Hunter?" He replied instantly, "Why certainly, Colonel."

So writing a note he called a courier and dispatched him with the note, with orders "to be quick." Very naturally the battle of the day before came up and we discussed it. Of course I admitted it was a Union victory, and explained how I thought it occurred. He was not disposed to exult at all. I discovered directly that he was a gentleman of the most refined feelings, and ever cautious not to wound unnecessarily the feelings of another, even though he might be an enemy—"a Johnnie Reb." He admitted to me that in all of Hunter's front attacks the Federals had been badly worsted, and that Hunter was preparing to withdraw and retire when he learned of the gap in our lines; that he then determined to try the movement which I have described, and fortunately for them it was successful, and won the fight for them; that its success was a matter of wonderment with him and the Federal officers generally, who knew of the position and proximity of our cavalry. We continued to chat; the day was very warm, and we were enjoying the shade from the sun, and the atmosphere cooled and freshened by the pearly brook that rippled by us. Suddenly an elderly gentleman, splendidly mounted, rode rapidly down the hill. Stopping where we were sitting he commenced to abuse in the most vigorous style "the d—— Yankees," and insisting that "the last one of these infernal rascals should be taken and strung up to that limb," pointing to a large limb that extended above us over the road.

As soon as I could I checked the old man by saying to him, "You must not talk that way; you should not abuse prisoners—men who are helpless. You evidently think these men are prisoners, but they are not—we are all here under a flag of truce." When he learned the men in blue were not

prisoners I never saw such a change come over a man; his face grew ashy pale and he seemed to become limp and almost to reel in his saddle, but in a second he recovered, and wheeling his horse, and with "Good-day, gentlemen," he put spurs to his fine, fleet-footed animal and sailed away in the direction he had come, with his coat-tails standing straight out behind him.

Who was this man? This inquiry will come to you mentally at once. I will tell you. The farm upon which stood the fine old mansion near by, from which the crystal stream coursing at our side flowed, was one of the finest in that section, more famous than any other section of Virginia for its fine farms and homes, and belonged to George W. Mowery. He cultivated it, and raised short-horned cattle, splendid strains of horses, and abundant crops of wheat and all the cereals, clover, timothy and blue grass, and he lived in the country mansion not a stone's throw from us.

The man who was so abusive of the Yankees and wanted to hang those who were with me was George W. Mowery himself. He thought Otis and his men were prisoners, and when he learned his mistake he feared that his home was doomed, and fearing that he might be identified and his name disclosed, he determined to lose no time in getting away. He did not know me or any Confederate with me; I, however, knew him, but I had sufficient presence of mind not to call his name or to show in any way that I knew him.

As he was taking his rapid departure from us, and Otis and I were watching with interest the beautiful and graceful strides of his horse under the pressure of spur, Otis said with a jolly laugh: "That old fellow evidently has no use for us Yankees. There would not be many of us if he could have his way."

Later in the day the whole Federal army passed his house, and he suffered no material damage. If Hunter had known that its owner had expressed such sentiments as I have related, before the day closed lone chimneys would have stood as sentinels over the charred ruins of Mowery's house.

It was still some time after this episode before Otis's courier returned—he was gone, I think, at least an hour and a half. He brought this reply: "General Hunter declines to see the rebel officer. He must send forward his communication at once, or return to his lines." I said: "Major, this is discourteous and unsoldier-like treatment. I cannot see why he declines to see me. I believe I will retain my communication and return to my lines." Otis said: "Hold on. I will try him again." He wrote another note and sent the same courier with it, but on a fresh horse.

The courier's stay was very little shorter than when he first went in search of the Federal general. When he returned he handed Major Otis a paper, which he immediately delivered to me. It was the communication I had sent to General Hunter. On the back of it were written these words:

The rebels General Jones, and Colonels Brown and Doyle, are dead, and have been decently buried.

All the rebel dead have been decently buried and the wounded are being well cared for. The bearer of this communication must return to his lines forthwith.

DAVID HUNTER,  
*Maj. Genl. Commanding U. S. Forces.*

This ungentlemanly, unsoldierlike, and unfeeling reply of General David Hunter to General Vaughan's communication was simply in keeping with the character of the man, and of which I shall write later.

Upon the receipt of this reply, shaking hands with Major Otis and thanking him for his courtesy and soldier-like treatment, I directed my ambulance drivers to turn about, and with them and my squad I took up my ride to Rock Fish Gap, arriving some time before dark.

I had been very much attracted by Otis during the several hours I had been with him under the flag of truce. As Hunter was advancing up the Valley Turnpike we had observed a Federal cavalry officer mounted on a sorrel horse with a white face, almost always in front, conspicuous by his activity, frequently leading charges, and in every way

displaying courage and dash. Otis was riding a horse when I met him which answered the description of the officer's horse I have just mentioned, and upon inquiry I ascertained that it was he who had been so constantly at the head and front of Hunter's army, and his bearing then when balls were flying and his bearing under the flag of truce had been such as to arouse my admiration and respect for him.

Years after peace came to our land and the sections were reunited, and I had been a member of Congress for several years, in my mail one morning was a letter from a friend and war comrade of Otis, addressed to me, stating that the Major's friends were applying for one of the medals the U. S. Government was issuing to officers, and to privates too, I think, for marked courage and distinguished bearing "in the War between the States"—he did not say "the War of the Rebellion"; that Otis had told his friends he had met me in the strife, and that I knew something about him as a soldier, and he and his friends would be greatly pleased if I could, consistently with my views, write a letter in his behalf.

It is needless for me to say that I wrote the letter, and whether it had any weight or not with the authorities I cannot say, but to my pleasure one of the medals was issued to Otis. I received a beautiful letter from him, full of fraternal feeling and rejoicing that the day of reconciliation had arrived. He is now dead, and only a few months ago his daughter wrote me that she was engaged in preparing the life of her father and requested me to write my impressions of him for her book. This I have not done as yet, but I shall not delay it much longer.

## CHAPTER XIII

### LYNCHBURG—EARLY'S RAID TO WASHINGTON AND RETURN.


Hunter's Vandal Hand—We Pass Through Lynchburg—Hunter Declines Battle—"Virginia 'Pawing'"—The End of Hunter's Expedition to Lynchburg—Hunter a Failure as a Soldier and Covered with Ignominy—Early Defeats Lew Wallace at Monocacy and Marches on to Washington—A Surprise to the Federal Authorities—Our Retrograde March—Marching and Countermarching—The Fear the Authorities at Washington had of Early—Sheridan Put in Command to Cope with Early.

Hunter moved to Staunton, and thence to Lexington, where his vandal hand burned to ashes the Virginia Military Institute, whose corps of cadets, 240 strong, had immortalized itself at New Market three weeks before. The home of ex-Governor Letcher was also laid in ashes. From Lexington he passed on to the vicinity of Lynchburg, by way of the Peaks of Otter, and there he reached the zenith of his fame—if his defeat of Jones and his destruction of the Virginia Military Institute and ex-Governor Letcher's home could, in the estimation of any one, give him fame.

While Hunter was moving from Staunton to Lynchburg, our forces that had confronted him at New Market moved across the Blue Ridge and on to Lynchburg, arriving on the 17th, finding General Early in command of the troops.

We passed directly through Lynchburg and took the Salem Road and commenced to throw up a line of defenses, under the order of General Early. We had then Wharton's division of infantry, King's artillery, Jackson's, Imboden's, and McCausland's brigades, and some other troops. On the 18th Rode's division arrived.

My regiment, the Twenty-third, was sent forward, and at the Stone Church, about five miles westward, we encountered Hunter's advance—strong in numbers. The Twenty-third was thrown forward as skirmishers, and I was put in command. We soon became engaged with the Federal line



of skirmishers, but we succeeded in holding them well, and at dusk they had made comparatively little progress. General Early had not been idle. Reinforced by Rode's division—brought, I think, by rail from Charlottesville—he formed his line some three miles west of the city's limits. We laid down that night believing that the next day would bring a battle, in the result of which we had no doubt. We had an abiding faith in the ability of "Old Jube," as General Early was called by his men, to thresh Hunter most soundly. Our men's hearts were buoyant, and they wanted a chance to chastise the burner of the Virginia Military Institute—Virginia's pride—and the house of Governor Letcher, who was honored and beloved the State over.

But Hunter declined battle, and retreated as quietly as possible, and at day-dawn he had put some miles between himself and Early, but the Confederates pursued in hot haste. The day was scorching hot and the trail was dusty. Near Liberty we caught up with the enemy's rear. My regiment was in the attacking line, dismounted and moving through a field in front of a stone fence, behind which the enemy was posted. The balls were whistling lively around our heads and we were beginning to suffer.

I had in my line a fine fellow, William Ashby,—familiarily called "Bill Ashby," a cousin of General Ashby,—who was a member of my old company in the Twelfth Cavalry, and being away from his company on sick leave he joined me at Lynchburg. He had a short leg, caused by an injury when a boy. As I was riding along the line, the men moving slowly across the field, I heard some one call me from behind; turning my horse I rode back, inquiring, "Who called me?" Directly one of the men replied, "Bill Ashby called you; there he is"—pointing to him. I said, "Bill, what do you want?"

Just then his short leg went down into a sink hole, and as he pulled it out, balls coming thick and fast, he replied, "Colonel, I only wanted to ask you if you didn't think Virginia was rather hasty in going into this thing?" While I was somewhat irritated, the remark was so ludicrous, and




showed such humor even in face of the greatest danger, it drew a smile and I rode off, making no reply.

He told me afterwards that as he was marching toward the stone fence, thinking of the hardships through which the people of Virginia had been passing for more than three years, he recalled a picture he saw when the Virginia Convention was deliberating upon the question of secession. The picture represented the United States or Federal Union as an immense cat, and the Southern States as her kittens. South Carolina, Mississippi, Alabama and other Southern States, but not Virginia, had deserted the old mother and were scampering away from her. Virginia had not gone, the old cat still had her paw on her; but she was twisting and squirming to get out from under the paw, and the old cat was saying, "Not too hasty, Virginia." I recalled the picture myself; it was extensively circulated by conservative men, who favored slow and cautious action upon Virginia's part—many believing she should fight for her rights in the Union under the Union flag, rather than secede. It was intended to impress the convention with the importance of caution and due deliberation. The title of the picture I recall well. It was "Virginia Pawsing."

The enemy did not hold their line along the stone fence. They were soon forced to retire, and from there to Salem the pursuit was so warm and vigorous that hardly any other attempt was made to resist us.

At Salem they took the road to Buford's Gap, hoping to escape Early's men, who were like blood-hounds on their tracks; but before they could fairly enter it, Imboden was upon their rear and McCausland struck them on their flank, where we captured many wagons, several guns, and some prisoners. The pursuit was continued to New Castle, but no farther. By this time Hunter's army had become nothing but a demoralized and disorganized body, all fleeing through the mountains, without a commander, for Hunter had fled, without orders, and no objective point in view.

Thus ended Hunter's expedition to Lynchburg. He was of Virginia descent, and when he made his entrance into



the State he seemed determined to wreak his vengeance upon his own close kin, who were Confederates in their sentiments or sympathies.

In Charlestown, Jefferson County, lived Andrew Hunter, a distinguished lawyer, honored citizen, and courtly gentleman, far advanced in years. He had a home in the suburbs of the town, where he had dispensed his hospitality with a lavish hand. He was a man without an enemy. This Federal general, with the same blood coursing in his veins as flowed in the veins of Andrew Hunter, signalized his abhorrence of a rebel by ordering the torch to be applied to the home that had long sheltered his aged and venerable cousin, and it was devoured by the flames. The home of two other cousins met with a like fate for no other reason than that they were "rebels."

I think this army, with which he fled through the mountains to the Kanawha, was the last he ever commanded. He had proved himself an utter failure as a soldier, and bore the ignominy of being the wanton destroyer of the homes of his own kith and kin, the Virginia Military Institute, and the residence of ex-Governor Letcher, and thus he lived, with none so low as to do him reverence, until he died in the city of Washington a few years ago.

General Early, after Hunter's retreat, marched his army leisurely down the Shenandoah Valley. His troops, stirred by the memories of their great achievement in this far-famed Valley under Stonewall Jackson, cheered lustily as they passed through, Harrisonburg, New Market, Edenburg, Woodstock, Strasburg, Middletown, Newtown, and glorious Winchester. He was on his march to Washington, the Federal Capital.

Crossing the Potomac at various points, he moved on and occupied the city of Frederick, and on the 9th of July he met and defeated General Lew Wallace, after a bloody fight at Monocacy, who retreated toward Baltimore. Early destroyed the Baltimore and Ohio Railroad bridge, a strong structure that spanned the Monocacy, and then continued his march to Washington, passing through Urbana, Gaith-

ersburg and Rockville. At the latter place he encamped on the night of the 10th.

On the 10th the march was resumed to Silver Spring, on the Seventh-street Road. At this point my regiment, with other cavalry, was in front, and we met a force of Federal cavalry and infantry and drove them without difficulty into the fortifications that surrounded the city, and I believe we could have ridden into the works, but we were ordered to halt.

Our appearance in the vicinity of the very gates of the Federal Capital was a surprise to the Federal authorities, and aroused them to the utmost activity. They were greatly alarmed, and every effort was put forth to rush troops to the city and man the fortifications, and the effort was successful. We spent the 12th in front of Washington, and some heavy skirmishing occurred on part of our line. We could see the works filling up, and the force increasing every hour during the day. As soon as dark came, General Early having learned that an army much larger than his own had been concentrated, and knowing that the waters of the Potomac were in his rear, determined to fall back, and his whole army was soon moving in the darkness in the direction of Rockville. Daylight broke upon us as we reached this town, we continuing our march until midday. Then our tired and worn men and horses were allowed to halt and rest until dark came again. Then we proceeded as rapidly as conditions would permit on our retrograde march, passing through Poolesville, where two years before I was wounded and my life saved, as I believe, by the gallant Figgatt, of whose chivalrous deed I have spoken. We reached the banks of the Potomac a little before or after midnight. Here the troops, almost exhausted, dropped in their tracks, and were soon sound asleep. When the first faint streak of light appeared in the eastern sky the army was aroused, and the infantry and artillery crossing at White's Ford and the cavalry at Conrad's Ferry, we were again in Dixie. It must not be imagined the enemy had given us no trouble on the route from Washington to the Potomac. On the contrary.

---

the enemy's cavalry frequently attacked our rear, but they were always repulsed.

We laid in camp until the 16th, I think, the enemy throwing some shells from the Maryland side, and then we broke camp and moved on in the direction of Snicker's Gap in the Blue Ridge; part passed through it and camped in the Valley, the rest on the eastern and western slopes of the mountain. Our wagon-train and prisoners were sent through Ashby's Gap. An attack was made on the train by troops sent from Harpers Ferry, and it suffered some.

In a day or two, perhaps the 17th, our entire army had pitched camp on the west side of the Shenandoah in the neighborhood of Castleman's Ferry. The cavalry brigades were scattered around, and had some fighting with the enemy's cavalry at Snicker's Gap in the Blue Ridge, and other points, for several days following. I was a participant in much of this fighting, and as was always the case amusing things were said and done, regardless of the missiles of death or dangerous surroundings. I remember while the Twenty-third was warmly engaged at Berry's Ferry, a rabbit, frightened almost to death, started across the field. A member of the regiment no doubt recalling the remark of Governor Vance of North Carolina, upon seeing the rabbit streaking for the rear when a battle was raging, "That's right; run, Molly Cotton-tail, run. If I hadn't any more at stake than you have, I would run like the mischief too," exclaimed in loud voice, "Git up and git, Mr. Rabbit. I would like to go with you, but the reputation of Betsy and the babies is at stake. If I was to run Betsy would never let me put my arm around her again or dance the brats on my knee."

There was much marching and countermarching, advancing and falling back by both armies, from that time until early in August, when we learned that a large Federal force was being concentrated at Harpers Ferry and Major-General Philip H. Sheridan had assumed command of it.

The campaign of Early and Sheridan that followed will ever occupy a unique place in the history of the War between

the States. General Early had fought greater odds than Jackson; he displayed judgment and tact in all his movements. He had been active, bold and aggressive. He had for months kept the enemy confused and agitated; they seemed to be unable to understand what his purposes were and had to watch him closely, and this required a large force, for with a small force, or one not greatly in excess of his own, Early could make incursions into Maryland and even Pennsylvania, any time, and return before he could be seriously hurt.

The fear the Federal authorities had of Early compelled them to call a considerable force from Lee's front, and induced them finally to pit one of their best and most aggressive and stubborn fighters against him. Early, in less than two months, had accomplished much, in my opinion almost wonders, with his little army. He had marched hundreds of miles, fought two important battles,—winning a victory in each,—besides many minor engagements, some of them of note. He had threatened the Federal Capital, and when confronted by an overwhelming force he had retreated in the most perfect order, without the loss of a gun or a wagon, with a river in his rear. He had relieved General Lee of the strain on his line. He may have made some mistakes later, but when discussing them his prior achievements, running back over three years, should not be forgotten. Mistakes! What general of the war did not make mistakes? They may not have been observed, but turn the search-light of truth upon their records, and they will be discovered. The great and unequalled Lee took upon himself the blame for the defeat at Gettysburg. I think he was too generous and magnanimous. For that defeat I would not lay a feather's weight of blame upon his splendid shoulders. He was criticised, sometimes harshly, for the West Virginia campaign in the early part of the war. Carpet-knights and street-corner generals were numerous, and as they were doing no fighting and had plenty of time to give vent to their ideas of the manner the war was being conducted, and how certain battles had been fought, they were wise in their

own conceit, and nothing suited them; they would have done so much better if they had been clothed with authority or had been in command. Then we had some Confederate officers who were fond of carping and fault-finding. If a battle was lost it was by bad management; if it was won, the victory ought to have been greater, and so on. Early's Lynchburg and Washington campaigns, the ability and strategy he displayed, his boldness, quickness, and originality will ever be worthy of the study of any reader interested in military history.

While there was intense activity in the lower Valley, and constant fighting, particularly by the cavalry, no engagement rising to the dignity of a real battle occurred until the 19th of September, when Early and Sheridan "locked horns" at Winchester.

## CHAPTER XIV

### BATTLES OF WINCHESTER AND FISHER'S HILL.

Events Leading up to Battle of Winchester—The Battle—Losses of Both Sides Heavy—Death of Major-General Rodes—An Amusing Incident with a Pathetic Sequel—Battle of Fisher's Hill—Our Fight Until 5 o'clock in the Evening—Crook's Charge on Our Left Flank the Turning Point—I am Wounded by a Fragment of Shell—Refuse to Have my Leg Taken off—I Reach New Market—Compelled to Make a Move—Another Move—I go to Mississippi to Recuperate—"Love at First Sight," Followed by My Marriage.

On the 17th Gordon's and Rode's divisions and a cavalry brigade—Jackson's, I think—moved down the Martinsburg Turnpike; on the 18th Gordon's division moved on to Martinsburg, and there they burned the bridges of the Baltimore and Ohio Railroad, returning to Bunker Hill in the afternoon. About sunset I was ordered on picket for the night on the Martinsburg Pike at Darkesville. I met General Gordon as he was moving back, and he directed me to report any movement of the enemy to him at Bunker Hill, where he would encamp.

The Federal cavalry in our front was astir all night, and several times my men were in their saddles and in line, anticipating an attack, but not a shot was fired. Just about sunrise, however, the whole Federal force at Martinsburg, mostly cavalry, commenced to advance, and in a short time my skirmishers were engaged with theirs. I sent a courier to inform General Gordon of the movement. The courier got back to me in about an hour and reported to me that Gordon had fallen back during the night; in the meantime the enemy's cavalry had been forcing me back, and as I knew of no Confederate soldiers within miles of me, I began to think that as soon as the Federals found I had no support they would charge me, and this would mean the capture of my men, on weak and broken-down horses, of which there were many. My men behaved splendidly, and retired in the

---

most perfect order, giving the advancing skirmishers shot for shot, doing them at least as much injury as they were receiving themselves.

When I reached Bunker Hill, much to my relief I found Col. George H. Smith with his Sixty-second Regiment of mounted infantry—a colonel without a superior and a regiment that had never been known to waver under the hottest fire. He continued me in command of the skirmish line, while he kept his regiment in good supporting distance. I cannot remember how far the morning had advanced when we arrived at Bunker Hill; it was not later than 9 o'clock, however, I think, yet we had been hearing the roar of artillery and the rattle of musketry for at least two hours in our rear, and we knew from the sound that it was the opening of no ordinary engagement—it was the beginning of a battle.

We held the enemy in our front pretty well in check; they seemed to be acting cautiously. When we reached the Carter House, four miles from Winchester, we found McCausland's cavalry brigade heavily engaged on our right with an overwhelming cavalry force. In a few minutes McCausland was routed and retreated toward us. Colonel Smith formed the Twenty-third and Sixty-second into line, wheeled them to the right, and checked the pursuing Federal cavalry and gave McCausland time to rally and form a portion of his brigade. But in the briefest time the Federal cavalry, in a compact mass and powerful in numbers, rushed upon us, and drove us rapidly and in disorder back upon the left flank of Early's infantry line. The effect was very serious upon our army, which had been contending with superb heroism from early morning until then about 5 o'clock in the evening against a vastly superior force. Sheridan had massed his cavalry on the left flank of Early's army, and near sundown the whole of Early's line wavered under the heavy force, then gave way—some parts of it in much confusion and other parts calmly and orderly. Passing through true and patriotic old Winchester, our army proceeded as far



as Kernstown, where it encamped late in the night and slept without molestation. Sheridan's heavy cavalry corps had won the day. It numbered 10,000 well-mounted and magnificently-equipped men and had been handled with great ability and skill. Early's cavalry was entirely too weak to cope with it; it did well, and every brigade, regiment, and squadron did its duty, and all in the power of men to do, but they could not successfully resist the onslaught.

Our loss, as well as the enemy's, was heavy. Among our killed was the intrepid Major-General Rodes, whose name was resounding throughout the Army of Northern Virginia and fast becoming a household word in the homes of Virginia, upon whose soil he was born and reared. My regiment had its full quota of casualties. Its sergeant-major, Trent Traylor, a splendid young Alabamian, fell mortally wounded at the Yellow House, on the Martinsburg Turnpike, while on the skirmish line. He was a dashing cavalryman, ever ready for duty in camp and on the march, on picket, in the charge, or on the standing firing-line. I would be glad to pay tribute to others of the Twenty-third who fell at their posts, but it would require more space than I have at my command.

In connection with the battle of Winchester I must put in these reminiscences an amusing occurrence which was followed by a story most pathetic. I have just referred to the death of my sergeant-major. Two or three days before this battle I invited this young nobleman, for such he was in truth, to go with me to visit two charming young ladies who lived in the neighborhood of our camp. He accepted the invitation, and when the appointed evening came we prepared ourselves as best we could and rode to the fine old country home. The young ladies were looking their prettiest, and it was not long before I could see that one of them had captured Trent, and could feel that I was fast surrendering to the other. After tea we returned to the parlor, and soon the strains of the piano and guitar, and the sweet voices of the young ladies, were adding fuel to the flames in the breasts of both of us. Time flew, minutes passed like

seconds, and two hours after tea glided by so swiftly that not a thought of leaving had entered our minds. Suddenly the father came into the parlor, and after conversing for a few minutes he said, "Gentlemen, you will of course spend the night with us." We thanked him and said no, that we must return to camp. He bade us good-night and left the parlor. We looked at our watches, and it was only a few minutes after nine o'clock. We settled ourselves deeper in our seats with the thought of at least another hour, perhaps two, of ecstasy—but we knew not what was just ahead of us. Directly the parlor door opened and in walked the father again. We had supposed he had retired for the night. He said, "Gentlemen, we are Presbyterians here; our bed time is nine o'clock and we must close up the house; you had better spend the night." We then realized how dull we had been not to take the hint before, but we had not. We again thanked him and apologized for staying so long and forcing him to break his rule for retiring. He said, "That's all right; come and see us again; we will always be glad to see you," and left the parlor.

The young ladies were embarrassed, assured us that their father had made no exception of us, and reproached themselves for not letting us know of the inexorable rule.

We took our departure immediately, the ladies declaring that they had enjoyed the evening, and inviting us to call again. Neither Trent nor I, after mounting our horses, spoke a word until we had ridden a hundred yards or more, then he said: "Colonel, didn't that beat thunder. I was never so pleased in my life as I was with Miss L., and Miss N. was just charming, and to be cut off at nine o'clock is too bad. Why, the chickens hadn't more than gone to sleep. Didn't Mr. B. say that they were Presbyterians?" I said, "Yes." "Well, is that a regular Presbyterian rule? If it is, I would like to know what time a fellow has to court a Presbyterian girl. He must do it in daylight, or put in his licks mighty fast at night.

Poor Trent was killed a day or two after this visit, at the Yellow House, about two miles from Mr. B.'s. I have never

seen the ladies since, but that visit saved Trent from a burial on the field—a trench burial, a burial with the countless “unknown.” Hearing that he had been killed, Misses L. and N. went in search of his body. They found it and had it interred in a neighborhood church-yard, and planted roses upon his grave and cared for it until some time after the war was over, when his remains were disinterred and taken to his distant Southern home, and there laid to rest in the soil of his native State.

On the 20th General Early fell back to Fisher’s Hill, and instantly commenced his preparations to hold it by throwing up breastworks, and continued until the 22nd, when Early and Sheridan again met in the Battle of Fisher’s Hill.

The fight opened about ten o’clock in the morning, and was fierce and hot, the Confederates holding their ground stubbornly and repulsing every assault, until about five o’clock in the evening, when our left, which was weak, was assaulted by Crook’s corps of infantry, which, under cover of the trees and undergrowth on the eastern side of the Little North Mountain, secured a position on the mountain slope, and like an avalanche swept down upon our left flank, driving our men from their rifle-pits and then along down the line. At the same time a vigorous advance from the front was made, and soon our entire army was in full and confused retreat, and Sheridan by weight of numbers, and I must admit skill, had scored a second victory over Early with his much inferior army in numbers, though handled with Early’s usual skill. But for the darkness that soon came upon the scene the result of our defeat would have been almost destruction to our army.

My position in this battle was on our extreme left. On the evening of the 20th I was called from my regiment and put in command of all the dismounted cavalry of our army, numbering about three hundred men. During the night I had rail piles built and rifle-pits dug, and behind them formed my line the morning of the 22d, and from there we repulsed every charge and held our line intact until the assault from the mountain side overwhelmed us. Just to my

right a piece of artillery, under the command of Lieutenant Carter Berkeley,—as brave as the bravest, as knightly as the knightliest,—was pouring shell, grape, and canister into the mass that was sweeping down the mountain slope, but to no visible effect.

As I saw the mighty horde coming I withdrew my men for a short distance to higher ground, and there formed my line. Then, watching an opportunity, I charged, but before going far I was struck by a piece of shell in the right knee, and I dropped to the ground; almost instantly my men broke and scattered in every direction, with the exception of two or three who remained with me, secured an abandoned artillery horse, and putting me on him succeeded by whip and spur in stimulating the poor animal to sufficient speed to get me away and prevent me from capture, until they found an ambulance, into which they put me.

Through the retreating mass the ambulance wended its way, and landed me at Hollingsworth's Hotel, at Woodstock, about twelve o'clock, where I was placed on a cot in the parlor, already well filled with wounded Confederates. I was suffering great pain. A surgeon came to me and examined my knee; he was joined by a second; then came a consultation and then I was coolly informed that "my leg must come off." The idea shocked and angered me. I replied in vigorous style and emphatic language to the effect that they couldn't take my leg off. They insisted that my life depended upon it. I replied, "Very well, I will take the chances. If I die I will take my leg with me." Finding me so determined that they should not apply their knives to me, the surgeons left me. During the night my colored boy reached me. Mr. Hollingsworth let me have his rockaway, and by sunrise my boy had hitched one of my horses to it, and tying the other behind he was ready to remove me to a safe point. I was carried out and put in the rockaway and we started.

Late in the afternoon we reached New Market,—dear old New Market, my war home,—and there I was received by Mrs. Crawford, the wife of Lieut. John H. Crawford, of

our cavalry. I had suffered intensely on my trip from Woodstock, and was much exhausted. Under the roof of this splendid and cultured Southern woman I was treated as kindly as if I had been a younger brother, and with her I remained for several weeks, until compelled to move on account of a Federal raid up the Valley. With a heart full of gratitude to Mrs. Crawford and her sweet little daughters, I took my departure in the same conveyance that had brought me from Woodstock, to some point where I would certainly, I hoped, be safe from Federal interference while suffering from my wound.

As I was leaving, Mrs. Crawford told me I must go directly to the home of her husband's father, Mr. James Crawford, who lived on a farm near Verona, five miles north of Staunton—about thirty-eight miles distant from Woodstock. We traveled leisurely and did not reach Mr. James Crawford's until late in the evening of the second day. I was warmly welcomed and spent the night with them.

Mr. Crawford was a delightful old gentleman, and very entertaining. His wife was motherly, and his two daughters—young ladies—were full of vivacity, and fine conversationalists.

The house was a substantial brick building, the farm was rich and fertile, and showed evidence of careful and enlightened cultivation; the barn and other farm buildings were in excellent condition, and everything indicated comfort and plenty. In the morning, which was bright and sunshiny, without a speck in the clouds, with the assistance of my boy I took a seat on the porch, and soon feelings of thankfulness filled my soul as I thought of the good fortune that had attended me since I was wounded at Fisher's Hill. I refused to let the surgeons amputate my leg, and in spite of their prediction that I would die I was not only still living, but was recovering, and before long I would have two good legs and could return to the service of my Southland. I had met with nothing but kindness, and had just left one hospitable and delightful home to be received into another

equally as warm and pleasant, to stay until my recovery was complete, if I should desire to remain so long.

My heart was overflowing with gratitude to the Crawfords, and I was mentally showering blessings upon the name. But my reverie was suddenly broken. A cavalryman, with his horse foaming and panting, galloped up to the front gate and announced that "the Yankees were advancing and were only a few miles off." Instantly the peace, quiet, and serenity of that happy country home was changed into alarm, activity, and confusion; the negroes, horses, cattle, sheep and hogs, carriages and wagons must be speedily removed and taken to some place beyond the reach of the enemy, and I must not stand upon the order of my going, but go at once.

In quick time, after bidding the ladies good-by, and expressing my thanks for their goodness, I put off in the direction of Waynesboro. The country road was not smooth like the pike over which I had traveled, and by the time we reached Waynesboro, which was perhaps three o'clock, my knee was giving me considerable trouble. Still I determined to go farther, thinking it likely that the enemy might reach the town and I would have to move again if I remained there. I thought it would be well to put the Blue Ridge between me and the blue jackets. My trip through Rock Fish Gap and several miles beyond that afternoon and night, before I reached a stopping place, will ever continue vivid in my memory. We traveled at a slow walk; the road was a bed of loose rocks from the size of a man's fist to the size of a half-bushel measure. My sufferings soon became intense. On we went, and not until nine o'clock, or perhaps later, did we arrive at our halting place. It was Greenwood, then owned and occupied by one of Virginia's princely sons, of whom she has boasted from her birth as a Colony to the present time—Mr. John H. Timberlake.

As we approached his gate we heard the strains of the piano and melodious voices, and gay and happy sounds. I did not know Mr. Timberlake personally, but my servant boy, whose name was George Terrell, had been raised in the

neighborhood, and Mr. Timberlake knew him well. Leaving me in the rockaway, George went to the door and rang the bell, and almost instantly Mr. Timberlake came running to me, saying as he came, "Why certainly we will take care of him." He shook hands with me, and then told me that his house was full, but room would be found for me, if some had to leave and go to the barn. George, who was a powerful young negro, took me in his arms, and following the directions of Mr. Timberlake, carried me into the parlor, which was filled with soldiers and ladies, and laid me on a sofa. The parlor was immediately cleared, and attention was given to my knee. Later a good supper was brought to me, but the pain was too severe for me to eat much of it; then a comfortable mattress was brought and I was placed on it, everything was made quiet and I was left for the night, George sleeping in the room with me. All these arrangements were made under the supervision of Mr. Timberlake and his wife. The next morning I was given a room on the second floor.

In a few days my pain had greatly subsided, and in perhaps a week I was able, by being carried from my room, to sit in the parlor and enjoy the home circle and listen to the charming music on the piano by an accomplished performer, Mrs. Whitehead, a daughter of Mr. Timberlake, and the wife of Reverend Paul Whitehead, D. D., and the mother of Silas Whitehead, then a mere lad in skirts, who grew to manhood to reflect honor and credit for years upon his parents, and whose death not long since in Richmond brought sorrow to the hearts of a host of friends who admired him for his manly qualities and loved him for his many virtues.

Mr. Timberlake was a Union man when the war broke out; he never believed in the abstract right of secession, and thought the South was very impolitic in seceding. He recognized the fact that the South had suffered grievous wrongs for years that called loudly for redress, but he believed the surest way to obtain redress was "under the flag and in the Union," as he expressed it. Still his heart and his sympathies were warmly with the South in her struggle

---

and he prayed for her success. He sent two sons to the Confederate Army, both of whom were gallant soldiers, and he furnished in full measure supplies for our army from his smoke-house, granaries and fields, and when the final end came he suffered from the result to such an extent as to render him unhappy the last years of his life.

Before I was well enough to walk without crutches I was compelled "by our friends, the enemy," to leave Mr. Timberlake's.

A body of Federal cavalry crossed the mountain and raided the section in which I had been staying, which had not previously felt the hoof or been touched by the ravages of war. They relieved Mr. Timberlake of his horses, and carried away a fine animal that belonged to me, which I had left when I took my departure.

My next stopping place was the home of Major Burr P. Noland, near Ivy Station on the Virginia Central Railroad, now the Chesapeake and Ohio, but this was for a night only. It was here I saw for the first time Captain George G. Grattan, a native of Rockingham County, Virginia, and a nephew of Hon. Peachy R. Grattan, a distinguished lawyer and long the reporter of the Court of Appeals of Virginia. Young Grattan, after finishing his education, had gone, as well as I remember, to Georgia, and enlisted when the war commenced in a Georgia regiment, and by his gallantry had won a captain's commission, and was serving on the staff of General A. H. Colquitt, when in one of the Southern battles he had lost a leg. He was tall and fair-haired, about twenty-five years of age, modest, and I thought almost as shy as a girl. In fact, any stranger would hardly have imagined, but for the evidence his empty pants leg and crutch furnished, that this modest young man had already proved himself a hero. Yet this was just what he had done.

His sister, Miss Lucy, was with him. During the evening I discovered that she was a lady of remarkable intelligence and information, ready to converse on any subject, and combat any views in which she did not concur. She was an independent thinker, formed her own conclusions, and



always had the courage of her convictions. In after years I lived in the same town with Captain Grattan, and in fact was his next-door neighbor; we practised law at the same bar. After I became a judge I appointed him Commonwealth's Attorney, and from 1886 to 1904 he was the judge of the same court over which I had presided, retiring only when the court was abolished under the present Constitution of Virginia. In war he proved himself to be true as a soldier; in peace he proved himself worthy of every position he was called to fill.

As I have said, I only remained a single night at Major Noland's. I sought boarding quarters and soon found them. My knee had not improved as rapidly as I had hoped it would, in fact it was worse than it was weeks before, and finally my physician informed me that my recovery without a stiff joint depended upon the greatest care; that I could not stand the exposure of camp life in winter or cold weather, and that I would not be able to return to the service before spring without risking serious consequences.

The first of December came and I was still on crutches, with no prospect of being able to lay them aside before spring. I had a half-brother and half-sister living in and near Enterprise, Mississippi, and I had not seen either of them since I was a small boy. My sister was the youngest and I was the eldest of my father's children by his first and second marriages respectively. We were particularly attached to each other. She had been writing and urging me to visit her whenever I got hurt, but I had never done so.

When I became convinced I would be on crutches until spring, the pleasure of visiting my sister and brother, whom I had not seen for years, came into my mind, and the more I thought of it the more I was inclined to make the trip; then my surgeon advised me that the warmer climate would be beneficial to me, and that settled the matter. I applied for a wounded furlough until March first; it was quickly granted and I started. The trip was a long and tedious one. Sherman had made his famous "march to the sea"; he had destroyed railroad tracks and bridges, and fre-

quent connections were made in stage coaches and omnibuses,—all antiquated,—road wagons, even dump-carts, and every conceivable vehicle drawn by horses or mules. Several times I was delayed an entire day, and often for many hours, waiting for conveyances to carry persons from one railroad to another or over breaks in the road by which I had arrived at my halting point. However, on Christmas morning, 1864, I arrived at my brother's home at Enterprise, without any serious mishap on the route from Richmond, and the eldest born of each of my father's two sets of children were locked in each other's embrace. My brother was a man of over forty, large and stately in appearance, with a family. I was twenty-three, tall and slender, "whole heart and fancy free." I drove out in a day or two to see my sister, and it was a joyous meeting. I divided my time during my stay pretty equally between the two homes. Very soon after my arrival at Enterprise I met a lady of whom my sister had written me much. The lady was quite a young widow, and a sister-in-law of my sister's husband. With me "it was love at first sight," and my furlough being short, I lost no time in pressing my suit, with the most gratifying result.

We were married on the 8th day of February, and I had to use a crutch to support me while the marriage ceremony was being performed. I wrote back to Virginia and asked for a ten-day extension of my furlough; it was granted. On the first day of March I took leave of my wife, kindred, and friends and started to rejoin my regiment. I did not arrive at Staunton until about the 12th, and as quickly as possible reported for duty with my regiment, in the vicinity of Edenburg.

## CHAPTER XV


### EVENTS IN THE VALLEY TOWARD THE END.

McNeill's Partisan Rangers—His Ride into Cumberland and Capture of Generals Kelley and Crook the Boldest Achievement of the War—Death of Lieutenant Meigs—Some "Scraps"—A Raid on My Own Account—A Claim for the Soil of Shenandoah County—We Hear of Lee's Surrender and are Incredulous—The Thought of Subjugation—A Message from General Hancock—My Address on Disbanding the Regiment—Attempt to Join Johnston's Army.

My regiment, the Twenty-third; Gilmore's battalion and McNeill's Partisan Rangers were the only Confederate soldiers in the Valley on my return from the South. The first two were on picket and scout duty, with a long range of country to watch and guard with so small a force. They were kept extremely busy and their service was hard. McNeill, who was a "free lance," with authority to go where he pleased, and almost to do what he pleased, was constantly watching for opportunities to surprise a picket post, scouting party, or wagon train, and was most successful.

With perhaps a hundred young, dashing and fearless fellows, well equipped and splendidly mounted, under him, thoroughly familiar with the country, knowing every mountain pass, path, gorge and hiding place, every road and stream, he was a veritable wizard in the art of surprising, striking, retiring and escaping—one of the Marions of the South. He was so bold and enterprising that he kept the enemy constantly uneasy and anxious. He was of Virginia descent, but a Missourian by birth, and was first lieutenant in the company of which his father was captain, until his father was killed, when he became captain and remained as such until the war closed. He then returned to Missouri, and I think he is still living there.

His raid into Cumberland, Maryland, deserves a place in every book which treats of the stirring period of 1861 to



1865. A force of about 10,000 Federals was encamped in and around Cumberland, Maryland, and they felt secure by reason of their numbers, and never dreamed that as bold as McNeill was, he would ever think of coming so far from his usual haunts, crossing the Potomac River and disturbing them, with their large cavalry force that could be put instantly upon his trail. But McNeill, believing that they felt safe and secure and would not be on the alert, determined to raid them. So secretly moving his men to within striking distance, under cover of darkness he advanced on Cumberland. He surprised and captured, without firing a shot, the sleepy pickets, and then boldly rode into the city, and sent a detail to the hotel at which Generals Kelley and Crook, the commanding generals, had their headquarters. The detail, in charge of James Dailey, son of the proprietor of the hotel, entered noiselessly and went to the rooms of the two generals, finding them in bed. They were taken prisoners and required at the muzzles of pistols to keep quiet and dress quickly. In the meantime the generals' horses had been saddled and bridled, and upon them they were mounted, and McNeill and his men as noiselessly as possible rode out of the city with their prisoners, and taking mountain paths and urging their fleet-footed horses to their best, they were in a few hours safe in a friendly section, where they rested. Then resuming their march, after their rest, in two or three days they delivered the two captured generals to the Confederate authorities at Staunton.

This was surely as bold and successful an achievement as any during the war. McNeill with his 100 men rode directly into a camp of 10,000 and brought out as prisoners the two commanding generals. If this had been done by a Federal officer he and his men would have had bestowed upon them medals of honor, but the Confederacy gave no medals of honor. McNeill would have been brevetted to high rank, but the Confederacy was too near its end to show its appreciation of the brilliant achievement of her young captain.

In connection with this remarkable exploit I might mention the fact that at the time of his capture General Crook

was seeking the hand of the sister of the young Confederate who was in command of the detail that captured him. After the General's release from prison he renewed his suit, and the sister of his captor became his wife and followed his fortunes in the far west and amid the dangers of Indian warfare.

Following this achievement of McNeill, I record another feat surely entitled to notice.

In the County of Rockingham there is a space of country about three or four miles square, known as "the burnt district," so named because nearly every farm house of every description was burned by an order of General Sheridan in 1864. Born and reared on a farm near Harrisonburg was a young man by the name of Frank Shaver, who had little more than passed his majority when Virginia issued her call for troops. He volunteered in the cavalry, and developed at once into a fearless and adventurous soldier. He took to scout duty as naturally as a duck takes to water, and knowing the country well, and ready to brave any danger and take any risk, he was soon heralded as a superior scout. He always operated with two or three men, and many were the accounts given of his hovering around and in some instances entering the Federal lines and making captures of men and horses. He was so daring and adventurous and scouted so close to the enemy that his information was always valuable and reliable.

On the night before the day of General Sheridan's order, Shaver with two men met in a road at the summit of a small ridge a Federal cavalry officer and two men, who had come out from their camp, which was near, to reconnoitre as it was supposed. Both parties were surprised at the meeting, but there was no faltering on either side. Pistols leaped from their holsters and firing commenced, and in the shortest time it ceased, and the Federal officer and one of Shaver's men had fallen from their horses dead, and Shaver and his remaining man had the other two Federal cavalymen prisoners. The Federal officer proved to be Lieutenant Meigs,

an exceedingly promising and popular young officer, and a son of General Meigs of the United States Army.

The body of the lieutenant was left undisturbed where it fell, and the next morning, or perhaps that night, it was borne to the Federal camp. It is said that Lieutenant Meigs was a great favorite with General Sheridan, and under the false charge that the Lieutenant had been murdered and his men captured by farmers of the neighborhood, without stopping to investigate, the General issued and had executed his unjustifiable and cruel order.

Shaver was a splendid type of physical manhood. He was more than six feet in height, with dark complexion and jet black hair and beard, and as straight as an Indian. When he sheathed his sabre at the end of strife he took hold of the plow handles and pursued the calling of husbandry until his death several years ago. Through the years of peace in which he lived he was an honored citizen, and his chivalry and daring live in the memory of his people.

The Twenty-third had many "scraps," as the boys called them—minor engagements, but always costing blood and frequently lives, during March and April, until the surrender.


On the 8th day of April (Saturday) I was encamped at a hamlet called Paintertown, not far from Edenburg. About two o'clock on that day I received a message from the signal station at the point of the Massanutten Mountain at Strasburg, eighteen or twenty miles below or north of me, that a force of Federal cavalry was approaching Strasburg; the signal man estimated the number at 400. When they reached Strasburg another message came that the atmosphere had become so hazy and misty that it was impossible to tell what direction they had taken. There were three routes open to them. I immediately sent out scouts to find them and report to me as soon as they were located. My scouts did not return to me until late in the night, when they reported that the Federal cavalry had continued on the pike from Strasburg, and had encamped at Pugh's Run, two miles beyond Woodstock and eight or nine miles from my

camp. All told, my numbers in camp did not exceed thirty-five men.

I determined to attack the Federal camp. There was no time to call men from the picket line, so I mounted 32 men, including myself and my major, all without sabres, and started. With the aid of a citizen guide we avoided the enemy's pickets and got inside their picket line and within three hundred yards of the camp without being discovered. Here I dismounted the men and had the horses securely tied, and leaving four men to look after the horses, I moved the remainder across a field to a piece of woods in which the Federal cavalry, in blissful ignorance of a Confederate being within miles of them, were wrapped in sleep.

There was not a sound in their camp, except now and then from a horse. Just at the first indication of daybreak we had crawled to within a hundred feet or less of the sleeping men, on the south side of their camp. Here we rested for perhaps ten minutes to get our breath well, and then I gave the command "charge!" The men sprang to their feet and made the rush. The surprise was complete. In the shortest time imaginable the whole force, except the prisoners, and we had four or five each, were running for dear life in every direction. No twenty-eight men in the world ever made more noise or did more shooting in so little time. We were loaded down with pistols and carbines, which we had captured, and we kept up a perfect fusilade, at the same time my bugler, who was Ammie Blackemore, at present a worthy resident of Staunton, whom I had left with the horses, was, as I had directed him, sounding the cavalry charge with all the lung power his Maker had given him, making the impression that our numbers were large.

As soon as the Federals had fled from the camp I thought it prudent to get away, for light was coming, so I ordered my men to secure as many horses as possible and retire to our rallying point. The order was promptly obeyed, and in a few minutes we were on our horses, leading the captured ones, and making fast tracks, under the leadership of our citizen guide, through the woods and bushes toward the North Mountain.



We brought out many horses, some of them very fine. We were not pursued a yard.

We reached our camp about ten o'clock, but the captured horses were taken to a more secure place, though I hardly expected the Federals to advance farther. I predicted that their flight and the loss they had sustained would induce them to return, and my prediction was right. They did not venture back into their camp until full daylight, and then they moved slowly and cautiously, evidently fearing that they might strike trouble, to Woodstock, and there turned about and retired down the Valley, with their wagons loaded with wounded men, and several dead, as I was informed. We had one man, Wash Walters, of Mount Jackson, a faithful and true soldier, painfully but not dangerously wounded. He is still living, and has been for years a passenger engineer on a Western railroad.

The Federals, consisting of detachments from several regiments, and numbering 375, under the command of Major Martindale, had started from Winchester to go as far up the Valley as Harrisonburg, but they stopped at less than half way the distance to the point of their destination. It is due to my little squad of brave young fellows who were with me that April morning, 1865, to say that I do not think the records of our war can furnish an instance where 28 men attacked 375 with more signal success. For them I claim that their work was not excelled during the four years of strife.

It was said Major Martindale, upon arriving at Winchester, reported that he had been attacked by a large body of infantry and cavalry, and that there was a considerable Confederate force in the Valley. Whether he made such a report or not, I do not know. But on the following Tuesday a force of 3,500 cavalry, under the command of General Torbert, moved up the Valley as far as Mount Jackson. In front of him I had perhaps as many as 350 men. He moved slowly, and only a few times was my advance charged or driven back upon the reserve. What General Torbert's purpose was I never learned, but it gave color to the rumor as to



Martindale's report—particularly his slow and deliberate movement. During Tuesday night General Torbert commenced to retire; we followed close on his heels, and at or about sunrise on Wednesday we charged his rear guard, a short distance below Woodstock, and captured two or three prisoners and sent them to Staunton.

And now I come to make the claim that it was upon the soil of Shenandoah County that the last Confederate line was held, the last fight made, and the last prisoner captured by any part of the Army of Northern Virginia. I make the further claim that my little command held the last Confederate line, made the last fight, and captured the last prisoner held, made and captured upon the soil of old Virginia.

If there should be "a doubting Thomas" anywhere, these claims can be established, I am sure, by the records and a host of living witnesses. I have never heard them questioned, and I record them here simply that they may be perpetuated and not fade away as the coming years run their cycles.

On Wednesday, April 12th, I moved back to New Market and went into camp near the town. Thursday morning I was startled by a rumor that General Lee had surrendered. My men heard it at the same time. I denied it. "It could not be true. General Lee has not surrendered! It is impossible!"

My men denounced the rumor and the man who circulated it. In a little while Captain A. J. Adams sent for me to come to New Market. I rode there rapidly, and I found Adams talking with a half dozen or more cavalrymen. He said, "These men say General Lee has surrendered, but I don't believe a word of it." I questioned the men. They were perfectly frank, and told me they were returning to the army, but when they got to Staunton they were told that General Lee had surrendered; that everybody there knew it. I asked them where they were going? They replied to their homes. I said, "No, you can't go through my lines. You must go out to my camp and stay there for the present." They readily consented and rode to camp with me.

The realization of the truth of the rumor I had heard earlier in the day began to take possession of me. The more I talked with the returning men, the more I became convinced that the death knell of the Confederacy had been sounded, and yet ever and anon hope would well up in my breast and I would cast aside even the possibility of such a thing.

My men were more incredulous than myself; the most of them believed it to be a canard, and they were inclined to look suspiciously upon the men who had come from Staunton, and to hint that there was something wrong about them, and they had better be watched. The night passed; a sleepless night to me. I could not imagine why, if the surrender had occurred on the previous Sunday as these men said, no official information had reached me. Then I remembered that there was no telegraph line, and any information would have to come by mounted messenger.

"Who would send it?" This question would constantly be asked mentally? It would be presumed, I would argue, that the news would fly on swift wings and it would certainly reach me and I would govern myself accordingly. But, I would still argue, suppose the presumption was correct, and the news did reach me, how could I know what to do unless I also knew the terms of the surrender. How could I know whether or not my command was included in the surrender unless I was informed as to the terms. If I acted upon the presumption that my command was embraced and it was not, what an embarrassing position I would be placed in if I struck my colors, stacked my arms, and surrendered. If, upon the other hand, my command was embraced in the terms of surrender and I continued in the field, what would be my position under military law.

Then the thought of subjugation and what would be the fate of our people if the Confederacy had in fact fallen would take possession of me, and I would think of the fate of other conquered and subjugated lands, of the persecution and wrongs, oppression and trials under which they had suffered; how the hot iron had been plunged into the very

souls of their people and the heavy chariot wheels of power had been driven mercilessly over them. With sleepless eyelids and perturbed brain, my heart throbbing as it had never throbbed before, and my nervous system at the highest tension, I spent the night.

By sunrise I had arisen from my restless bunk. It was Friday morning, and while the meadows in which our horses were grazing seemed more verdant and the trees more forward than I had ever seen them; in fact, while all nature seemed to my senses to be brighter and sweeter than ever before, there appeared to be sadness in the sun's rays and in the chirping of the birds and in all animate sounds. The thoughts of the previous night had brought sadness to the faces of my men, and they who on the evening before would not tolerate the idea of Lee's surrender had evidently changed their minds during the still, reflecting hours between the setting and rising sun. They were realizing the probable truth of the rumor of the downfall of the Confederacy and its consequences. There was absence of the usual mirth and hilarity of the camp—no songs or laughter were heard, everything was as quiet as a Sabbath day.

The morning hours wore away and midday came, and no more tidings reached us. But the suspense was soon to be relieved and all lingering doubts removed, for under a flag of truce I received a message; it was from General Winfield S. Hancock, commanding the Federal army in the Valley. I cannot after so many years give the language, but he informed me that General Lee had surrendered, and unless I did so at once he would be compelled to bring me and my men in as prisoners of war.

For some time after the war closed the rumor was current that I sent him word to go to a place not made for the righteous. The rumor was without foundation, and I could never imagine how it originated. His message was entirely courteous, and of course my reply was equally so, and to the effect that I had no official information of the surrender; that I had certain orders and should endeavor to obey them until they were countermanded, and that I had no idea of surrendering.

In an hour or two after I had replied to General Hancock's message a courier rode into my camp from Staunton, and handed me a communication from Maj.-Gen. L. L. Lomax, commanding the Valley District, informing me officially of General Lee's surrender, and saying, "You can either surrender or disband." I determined very quietly I would not march to Winchester and surrender; but whether I should disband or hold my men together and attempt to join Johnston's army, which was still in the field, was a question I could not easily decide. I finally came to the conclusion that I had no right or power to hold the regiment together as an organization; that I must disband it and leave every man free to do as he pleased—go to his home or to Johnston.

Assembling my officers, I read General Lomax's communication to them, and announced my conclusions, in which they concurred. I then ordered the regiment to be formed, and when all the companies were in line I took my position in front of them and addressed them, as near as I can recall my words, as follows:

*"Officers and men of the Twenty-third Cavalry:*

"I am in receipt of a communication from Maj. Gen. L. L. Lomax, commanding the Valley District, informing me officially of the surrender of the Army of Northern Virginia, by General Lee. That this act was necessary and wise admits of no doubt when we know that it was the act of Robert E. Lee. The communication states that I can either surrender or disband. I shall not surrender, but I do not feel that I have the right or power to hold you together as a regiment, so I shall presently disband you and leave each one of you to determine for yourself whether your duty as a Confederate is ended and you are fully absolved from your obligation to your Southland. So far as I am personally concerned, I shall not unbuckle my sabre or lay aside my pistols as long as there is a Confederate army in the field anywhere upon Southern soil. Two such armies—Johnston and Smith—still have their colors flying, and I shall leave this night to join Johnston.

"Before taking leave of you, I must congratulate you upon the faithful manner in which you have discharged your duty and the courage and heroism, patriotism and devotion, you have ever displayed, even amid privations and sufferings of the severest kind. No soldiers of the South are more justly entitled to her gratitude than yourselves.

"I desire to thank you for the uniform kindness and consideration you have showed me at all times, and the promptness with which you have obeyed my orders. I shall carry you all in my memory to my latest day.

"I now declare the Twenty-third Regiment of Virginia Cavalry relieved from further service and disbanded."

I was of course without experience as a speaker, yet every word I uttered seemed to strike deep into the souls of my men, for they came from the heart. While I was talking I could see tears streaming down many a cheek, and frequently I could hear deep-drawn sighs and sobs partially suppressed. It was a scene of intense sadness; sorrow was in every face.

After the disbandment the regiment gathered in little groups, and so far as I ever heard there was not a man who did not think his duty was not ended; but the most of them felt that they should go to their homes, look after their families, get clothing or fresh horses, and then if Johnston's army continued in the field, join it.

That night about thirty of my men, including Captain A. J. Adams, one of the truest and gamest men I ever saw, started with me to Johnston's army. We gathered in New Market, and the whole population turned out to bid us farewell.

Every one of us, I think, was personally known to the people of this loyal and open-doored town, and some of our squad had relatives living there.

Generally there were only patriarchs and small boys among the males, for the young and able-bodied men of the town were in the army and had not yet returned; but all the matrons, young women, and girls were present to say good-by and breathe benediction upon our heads, and pray

that "the South may even yet be successful." The scene was indeed a stirring one and worthy of any painter's brush.

We moved out toward Staunton and encamped after riding about six miles. Early the next day we rode into Staunton, to the surprise of the citizens, who supposed that every Confederate soldier was at home or on his way, and the idea that our destination was Johnston's army amazed them. They were all disposed to give us credit for our loyalty, but many of them thought it would be "a wild goose chase" and perfectly futile. A gentleman of prominence, with whom I afterwards became well acquainted, expressed himself in this wise: "The Army of Northern Virginia and Robert E. Lee constituted the backbone of the Confederacy. With its backbone broken how can any sensible man believe the Confederacy can live for ten days, even in name. These boys are allowing their feelings to drive out their senses. They had better go to their homes and put their horses to the plow and then take hold of the handles."

As I look back now, I am ready to admit there was wisdom in these words, but none of us thought so at the time, and one of the party expressed the opinion that this prominent citizen "could never have been much of a Confederate, or he wouldn't talk that way"; but this was not so, for he had been a staunch Confederate.

At Staunton I met Colonel Michael G. Harman, who had been disabled in the Battle of McDowell while commanding the Fifty-eighth Regiment of Virginia Infantry. Calling me to him he asked me if I had any money. I replied, "Oh yes, I have plenty of Confederate money." Putting his hand into his pocket he pulled out two twenty-dollar gold pieces and said, "Take this money; you will need it. Your Confederate money will do you no good." I replied, "Colonel, I thank you, but I may never be able to return it, so I must decline your kind offer." He said, "You shall take it," and dropped the pieces in my pocket. He then talked with me about our plans, and while he did not discourage me, I realized before long that he thought we were doing a senseless thing.

Colonel Harman, who in a few months became my warm and staunch friend and remained so until his death, was the father of Asher W. Harman, who has been for many years the State Treasurer of Virginia, and possesses the noble traits of his father.

Before our party could reach Johnston's army it had surrendered, and we disbanded and scattered.

In a few days I arrived at Lynchburg. There I met Captain Frank Berkeley, who had been the Adjutant-General of Imboden's brigade, and together we rode by way of the tow-path of the James River and Kanawha Canal to Lexington, and thence to Staunton, his home, and where I located and entered business pursuits.

Captain Berkeley was not only a distinguished soldier, but a most courteous and polished gentleman, a genial companion, and sincere friend. He has joined the mighty host, but he will ever live green in my memory.

## CHAPTER XVI

### ANECDOTES AND INCIDENTS OF SERVICE.

On Parole—He Couldn't Run Fast Enough—A Demoralized Man—A Use For Tar—Persimmons—Wished He Was a *Gal* Baby—A General and a Driver—A Devoted Negro Servant—The "Question of Lee's Army"—Governor Smith—He Feared the Rays of the Sun More than he did the Enemy's Bullets—A Gallant Major of the Twenty-third—The Infernal "Jessie Scouts."

Soon after I had located at Staunton I was paroled by a General Duval of West Virginia, who was in command of some Federal troops stationed there, and this ended my life as a Confederate soldier.

There were many amusing incidents during the four years, which I have not related, that I am sure would interest and amuse my readers. Some of them I will notice, even at the risk of being regarded as prolix.

At the Second Battle of Manassas a gray-jacket was seen making tracks to the rear as fast as his feet would carry him. An officer riding to the front said, "Hello there, what are you running so for?" The fellow, without turning his head, as he leaped a fence without touching it, replied, "Because I can't fly!" He told the truth, for had he wings he would have winged his flight to realms of safety.

In one of the battles below Richmond another fellow wearing the Confederate gray was running away from the battle, rushing through the bushes and clearing everything in his course. He was asked what was the matter with him, when he called back, "Nothing in particular, but I'se the worst demoralized man in this whole army."

In passing, regiments would jeer and make flings at each other. On one occasion a Virginia cavalry regiment was passing a North Carolina regiment, and they were hurling their witticisms at each other. A Virginian, catching the eye of a big North Carolinian, asked him if he had been home lately. "Oh yes," said the North Carolinian. "Did




you bring any tar back with you?" said the Virginian. "Yes," retorted the North Carolinian, "our general ordered me to bring a whole car-load back?" "What for?" asked the Virginian. "To let your general have it to put on your heels, to make you stick in the next fight!" This was a home thrust, for the Virginia regiment it was thought had recently made too rapid a "retrograde" movement.

The soldiers did not confine their humor or even badgering always to themselves. At times they made hits at their officers.

A party of cavalymen were gathering persimmons that were not ripe. An officer who was passing ordered them to let the persimmons alone, that they were so green they would draw their mouths up. "That's why we want them; we want to draw our mouths up to the size of our rations." The Colonel had not been taking good care of his men, and their rations were small.

The night before the Battle of Port Republic a drafted man was heard away off from the camp going on at a terrible rate. A passing soldier hearing the noise and supposing it came from a sick and suffering man went to him, and asked him what was the matter with him. He replied: "Why, I am just about scared to death. They have brought me from home and put me in this army. I don't know how to fight, and can't fight, and I will just be shot down like a dog. O Lord, have mercy upon me! O Lord, deliver me!" The soldier tried to infuse some courage into him, but the fellow got worse. Finally the soldier said: "Get up here, you miserable coward! You should be ashamed of yourself. You are behaving worse than a big baby." The fellow blubbered out, "Baby, you say; I wish I was a baby, and a *gal* baby too!"

In the early part of the struggle our army in the mountains of West Virginia met with many reverses and were kept constantly "on the move." The roads were wretched and the horses were broken down, and the men were disheartened and discouraged. On a certain retreat a wagon stuck in a mud hole, and the driver was cracking his whip



and lashing his team in order to get out and get on, for the boys in blue were close on the rear. The general commanding rode up and rebuked him for cruelty to his horses, and said, "Here is a good team that is being spoiled by a mighty poor driver." The driver replied: "Do you think so, General. Well, they tell me, General,—God knows, I don't know,—that this is a good army that is being spoiled by a mighty poor general. But as I said, General, God knows, I don't know."

In fact, neither the general nor the driver was at fault. The wagon was overloaded, the horses were poor and weak. The topography of the country and the sentiment of the people were against us, and any position could easily be flanked with the aid of the mountain guides who were always at hand, thick as hops.

All of our drillmasters were by no means West Pointers or Virginia Institute cadets.

In a certain company an Irishman was ordered to drill a raw squad. His first command was, "Presint arms!" They presented. The sergeant exclaimed: "Hivens! what a presint. Just sthep out here now an' look at yer-selves!"

The devotion to their masters of the negro body-servants of the Confederate officers was great. Occasionally one of them would be captured, but I never heard of a single instance in which one of them enlisted in the Federal Army, or who did not return to his master if it were possible. I heard this story of an old man who was picked up by a scouting party, but was released or made his escape. When he got back to the Confederate camp he was delighted, and told his master that they tried to get him to enlist in the Federal Army. His master asked him what he said to them. He replied: "Massa, I had to argerfy with them right smart. I said to de officer, 'Massa, did you ebber see two dogs a fightin' ober a bone.' He said, 'Sartainly.' 'Wall, did you ebber see de bone fightin'?' He said, 'No.' 'Wall, Massa, you bofe fightin' and I is de bone. Guess dis nigger won't fight.'"

The Valley of Virginia was styled "the granary of Lee's Army," and it was so almost literally. In 1863 the wheat crop was unusually fine; the fields were radiant in their golden hue of harvest time as Lee's army moved along through Clarke County to the sanguinary field of Gettysburg.

The sight was a surprise to the troops from the far Southern States; they had never seen such a growth of the cereal. I was told that they gave expression to their surprise in various ways. Some would say, "Did anybody ever see such wheat since the days of ancient Egypt?" Others, "Look here, fellows, tell me what they will do with all this wheat? They can't stack it on this field; they will have to haul a heap of it off and thresh it on other ground." "See here, Bill, we have been mighty short of wheat bread, but if Marse Robert will just take care of this crop, we won't be short of flour rations again." "I tell you, Jake, I have been afraid the Yankees would starve us out, but now I am satisfied. Why, we will have wheat to sell."

And thus these boys from where the opening cotton bolls had always been to them things of beauty, and made them regard "Cotton as King," would give vent to their feelings as they marched along with nimble steps, bound to some carnage ground, they knew not where; but it proved to be the hills of Gettysburg, as I have stated, where many of them fell, and never returned to eat the bread made from that or any other wheat crop.

The Governor of Virginia at the conclusion of the war was William Smith, of Fauquier County, whose term commenced January, 1864. This was his second term; his first was eighteen years previous. Of all of Virginia's governors since her statehood began, only three have filled the chair twice—Patrick Henry, James Monroe and William Smith.

Governor Smith was sixty-four years old when President Lincoln issued his proclamation calling for troops to subjugate the seceding States. He came of fighting, fearless, and dauntless stock. In his veins coursed the blood of the



Doniphans, three of whom, brothers, in America's War for Independence were in the company commanded by John Marshall, afterwards Chief Justice of the United States, whose fame will last as long, yes, longer than this Republic, if this Republic should ever die. At the Battle of Brandywine one of the Doniphan brothers was killed.

President Lincoln's proclamation, it is said, aroused Governor Smith's indignation to the highest pitch. His words of condemnation flowed as hot as lava from his tongue, and he proceeded at once to raise a regiment and equip it from his own pocket, and then to tender it to Governor John Letcher. The regiment was accepted instantly and Governor Smith was commissioned colonel of it. At the head of his regiment, the Forty-ninth Virginia Infantry, he went into the field and where dangers were the thickest. After he had been several times wounded he was promoted to be a brigadier-general.

In 1863 persistent efforts were made by his friends to induce him to become a candidate for Governor, but he was loath to leave the military service; finally, however, he yielded to the constant and earnest solicitations that were reaching him from every direction, and became a candidate a second time for gubernatorial honors. He was elected over his two competitors, both distinguished and true sons of the old Commonwealth, by a handsome, in fact large, majority. He was at the helm of the State government during the fast waning days of the Confederacy,—the last fifteen months of its life,—and remained at his post until the evacuation of Richmond, and he was the last State or Confederate official to leave the Capital City on that eventful, dismal, and tearful night, the second day of April, 1865.

For some days after the evacuation Governor Smith kept himself at a safe distance from the Federals, being told that a reward of \$25,000 had been offered for his arrest; but his proud and brave spirit soon tired of moving about from point to point, and though he was admonished by friends that he would be treated roughly if he fell into the hands of the Federals, he resolved to cease his wanderings and sur-


render himself, and by messenger so informed the Federal authorities. In a short time he repaired to Richmond and reported, I think, to the provost marshal, and instead of harsh treatment he was treated with the utmost consideration, and before long he was permitted to go with his family to his Warrenton home.

Governor Smith was a remarkable man. He had served in both branches of the General Assembly of his State, in the National House of Representatives, and was elected Governor in 1843 and 1863, filling every position with marked ability and fidelity. He was an exceedingly strong debater and a power on the hustings—in fact in his prime he had no superior and few equals in the State, rich in able and forceful sons; and no political opponent ever met him in joint discussion without feeling the sting of his invective, the stroke of his irony, or his trenchant blows of logic. He was idolized by his party—the Democratic—and was feared by its foe.

With a competency he had retired from active politics, and was living quietly at his beautiful home near Warrenton in the midst of culture and refinement, among the Keiths, Huntons, Scotts, Paynes, Brookes, Gaineses, and scores of other families equally cultured and refined, when war clouds gathered, and the subjugation of the South aroused him to action. At the age of more than ninety years he died. He appears in Virginia's galaxy as one of her brightest stars, and in the niches of her Memory's Temple she has carved his name.

For myself, my heart prompts me to declare that I admired him in life, and in his sepulchre I revere his memory.

There was a story in connection with him that went the rounds of the camps, that so exemplified his fearlessness or disregard for danger in the line of duty as to entitle it to a place on these pages. He insisted on carrying a green umbrella over him, after he entered the Army, on a hot day to shield himself from the rays of the sun. He would carry it in the fierceness of battle as well as on the march or in camp. In a certain battle he was moving from point to point along



his line, with his umbrella hoisted, when the commanding general sent him a message suggesting that he lower his umbrella as he was making himself a special target for the enemy and incurring unnecessary danger. He replied: "Give General — my compliments, and tell him not to trouble himself as to my safety. I fear the rays of the sun more than I do the enemy's bullets."

I was with Imboden in his fight at Charlestown, Jefferson County, West Virginia. This was a pretty lively engagement, but our troops were well handled, and while we were forced to withdraw, it was done skilfully and in perfect order. In this fight Major Fielding H. Calmese, of the Twenty-third Cavalry, had his left arm shattered by a ball, between the elbow and shoulder; several inches of bone were resected, depriving him of the use of his arm above the elbow, but not below, and he could manage his bridle reins about as well as before he was injured.

His gallantry was ever conspicuous, and he was an exemplary Confederate soldier. If the Confederacy had conferred medals for deeds of daring, his breast, like others I have mentioned, would have been covered with them. While he was still suffering from his wound in the arm, he could not be induced to remain quiet in the camp, in the hospital, or at some house where he would have been welcomed most cordially, but insisted upon scouting and watching the movements of the enemy. This restless and determined spirit led to his capture. Just below Strasburg he was riding down the Valley Turnpike, bound for the neighborhood of the Federal camp several miles distant, when he saw a body of perhaps twenty men, dressed in full Confederate uniforms, coming toward him.

Not suspecting that their uniforms did not truly represent the side to which they belonged, he rode on until he met them. Instantly twenty pistols were aimed at him and his surrender was demanded, and there was nothing for him to do but to surrender or unnecessarily yield up his life; so he surrendered and was sent to prison. These gray-coated fellows turned out of course to be Federals disguised

in Confederate uniforms, and became known from that time as a band of unscrupulous and degraded fellows, called "Jessie scouts," and they were active in picking up unsuspecting Confederate cavalrymen and robbing them, and in plundering farm houses.

It was hard to catch any of them, for they never ventured where there was much danger, and besides in their Confederate gray they looked like the rest of us. But occasionally we would nab one of them, and he did not receive the treatment of prisoners captured in their blue uniforms and in their true colors; but I do not think we ever caught any of them within our lines, and I never heard of a "Jessie" dangling in mid-air.

## CHAPTER XVII

### THE PERSONNEL OF THE CONFEDERATE ARMY.

A Vast Majority of Major and Brigadier-Generals on Both Sides Comparatively Young Men—A List of Seventeen under Thirty—A List of Confederate Generals of Northern Birth—What the Words "Confederate Soldier" stood for—Some Few of the Many Stored in my Memory—What Constitutes a Brave Man—The Term "Rebel" Preferred to that of "Secessionist"—A Poem—The Oath of Allegiance.

How few of the present generation know that a vast majority of the major and brigadier-generals who led both the blue and the gray to renown were young men—far on the sunny side of even middle age.

There were thirty-four major-generals in the Confederate Army whose average age at the commencement of the war was thirty-two years; seventeen of them were thirty and less. These seventeen were from the following States:

From Virginia—John Pegram (29), Thomas L. Rosser (24), Fitzhugh Lee (25), William H. F. Lee (24), James E. B. Stuart (28), and Lunsford L. Lomax (26); total, six. From Alabama—William Wirt Adams (26) and Evander M. Law (25); total, two. From Georgia—Pierce M. B. Young (21). From North Carolina—Robert F. Hoke (24), William D. Pender (27), and Stephen D. Ransom (24); total, three. From Missouri—John L. Marmaduke (28). From Louisiana—Camille A. J. M. Polignac (29). From South Carolina—Matthew C. Butler (24), late United States Senator, and Ellison Capers (23), now an Episcopal bishop; total, two.

There were seventy-eight brigadier-generals in the Confederate Army whose average age at the beginning of the war was thirty-one years; thirty-nine of them were thirty and under. These thirty-nine were from the following States: From Virginia—Seth M. Barton (28), John R. Chambliss (28), James Dearing (21), John Echols (28),



Samuel Garland (30), Edmund G. Lee (26), Thomas T. Munford (30), James B. Terrill (23), and James A. Walker (29); total, nine. From Arkansas—Lucien C. Polk (27). From Texas—James T. Major (28), Horace Randal (30), Lawrence S. Ross (23), and William H. Young (23); total, four. From Florida—Edward A. Perry (28), and Francis A. Shoup (27); total, two. From Kentucky—Hylan B. Lyon (25). From Mississippi—James R. Chalmers (30), and Edward C. Walthall (30), late United States Senator; total, two. From Alabama—Pinckney D. Bowles (23), James Deshler (28), Archibald Gracie (27), James T. Holtzclaw (27), George D. Johnston (29), John H. Kelley (21), John C. C. Sanders (21), Charles M. Shelley (27), and Edward D. Tracy (28); total, nine. From Georgia—Robert H. Anderson (25), Dudley M. DuBose (26), and George P. Harrison (21); total, three. From Tennessee—William H. Jackson (25), James E. Rains (28), and Marcus J. Wright (30); total, three. From West Virginia—Albert G. Jenkins (30). From Missouri—John B. Clark (30), Francis M. Cockerill (26), for years United States Senator, and Joseph O. Shelby (30); total, three. From Louisiana—Francis J. Nicholls (29).

It will be observed that Georgia furnished the youngest major-general, and that Virginia, Alabama, and Georgia furnished the four youngest brigadier-generals—all being only twenty-one years of age when the tocsin was sounded.

I have not the data from which I can gather much information as to the ages of the prominent Federal leaders, but I have little doubt that the preponderance of young men—men far below middle age—was great. I know that the illustrious Grant was only thirty-nine; McClellan, "who sank into the mere shadow of a great name" through injustice and intrigue, was thirty-four; Philip H. Sheridan, the hard rider and hard fighter, was thirty, and George A. Custer, the ideal soldier and one of the most brilliant figures the war produced, was only twenty-one when the sections stripped themselves for the terrible conflict.

It may not be generally known that at least one Confederate major-general and sixteen Confederate brigadier-generals were of Northern birth. The following is the list:

MAJOR-GENERAL.		
<i>Where enlisted.</i>	<i>Name.</i>	<i>State of birth.</i>
Florida.	Martin L. Smith.	New York.
BRIGADIER-GENERALS.		
<i>Where enlisted.</i>	<i>Name.</i>	<i>State of birth.</i>
Texas.	William Steele.	New York.
"	Lawrence S. Ross.	Iowa.
Florida.	Edward A. Perry.	Massachusetts.
"	Francis A. Shoup.	Indiana.
Virginia.	Daniel Ruggles.	Massachusetts.
"	Julius A. DeLagnal.	New Jersey.
"	M. D. Corse.	District of Columbia.
"	Walter H. Stevens.	New York.
Louisiana.	Albert G. Blanchard.	Massachusetts.
"	Johnson K. Duncan.	Pennsylvania.
Arkansas.	Albert Pike.	Massachusetts.
"	Daniel H. Reynolds.	Ohio.
Missouri.	Daniel M. Frost.	New York.
Alabama.	Archibald Gracie.	New York.
"	Danville Leadbetter.	Maine.
South Carolina.	Clement H. Stevens.	Connecticut.

The recalling of the names of these gallant officers of the Southern Army who were of Northern birth brings me to remark that the sentiments that prompted men to espouse the cause of the North or South were instilled by the teachings of their surroundings and formulated by their environments. Whether a man was a Unionist or Secessionist depended almost entirely upon where he lived and his teachings. Many a Northern soldier sealed his devotion to his cause with his blood, who if he had lived and been educated in the South would as freely have given his life for the Confederacy, and vice versa.

The words "Confederate soldier" stood as a synonym of courage. There were some cowards, as there have been in every army that ever floated a flag, but there were not many. If I were to attempt to give the names of the Confederate soldiers who came under my observation whose courage was always conspicuous, it would require countless pages.

I shall select from the mighty list stored in my memory only a few names, which I present as the names of officers who were true exemplars of the standard Confederate soldier. They are all taken from the Twelfth and Twenty-third regiments of cavalry, to which I was attached at different times, and Chew's battery and McClanahan's battery, which were closely connected with the two regiments respectively. The list is as follows: Asher W. Harman, colonel of the Twelfth; Thos. B. Massie, lieutenant-colonel of the Twelfth; Lewis Harman, adjutant of the Twelfth; George Baylor, lieutenant of the Twelfth, Granville Eastman, lieutenant of the Twelfth; Roger Chew, colonel of Chew's battery; James Thompson, major in Chew's battery, killed at High Bridge; Harry Gilmor, captain in Twelfth cavalry, afterwards major of Gilmor's battalion; Emanuel Sipe, captain in Twelfth; George J. Grandstaff, captain in Twelfth; Fielding H. Calmese, major of Twenty-third; M. C. Richardson, captain in Twenty-third; A. J. Adams, captain in Twenty-third; J. W. Drew, captain in Twenty-third; Carter Berkeley, lieutenant in McClanahan's battery.

Holding these men as exemplary Confederate soldiers and conspicuous for their courage, let us consider what constitutes courage; in a word, what is courage? What is it that strengthens a man in the storm of battle and times of danger, and makes him face perils and die if need be for a cause or a principle? It is nonsense for any man to tell me that he likes to hear bullets whizzing and shells shrieking about him, crimsoning the ground with human blood and dealing death to human beings all around him. No king or prince, private or officer, peasant or highborn subject, if he were to swear upon the Bible most Holy, that he delighted in such perils, would I believe. God has implanted in every human being an aversion to danger. He has endowed him with the instinct of self-preservation, and to avoid dangers, steer clear of pit-falls and dead-falls, destructive missiles and the vapors and miasma that breed distempers and disease. This is the rational, natural, normal man. His op-

posite is an unnatural, abnormal, and irrational being of God's creation, fit only for a madhouse.

What then is true, manly courage?

I can formulate no better definition than by quoting the words of Joanna Baillie: "The brave man is not he who feels no fear; for that were stupid and irrational; but he whose noble soul subdues its fear and bravely bears the danger nature shrinks from." Or by quoting Plutarch: "Courage consists not in hazarding without fear, but being resolutely minded in a just cause"; with this amendment "or a cause he believed to be just." Or by quoting Wellington: "The brave man is he who realizes his danger, but faces it firmly and resolutely, and not he who like a horse heedlessly rushes forward, not realizing his peril."

Many a man went into battle with blanched cheek and trembling limb and never faltered, however thick came the rain of bullets or shower of shell.

At this late day it is unnecessary for me to declare that the Confederate soldier believed his cause was just. No body of men would ever have enlisted under a flag and for four years exposed their lives and scattered their wounded and dead from the Pennsylvania hills to the plains of Texas, fought until they were shoeless and almost naked, suffered the pangs of hunger almost to starvation, left mothers, wives, daughters and sisters to struggle unaided to keep body and soul together—unless they believed in the righteousness of their cause and the sacredness of the principles they were maintaining and defending.

The Southerners have been styled "rebels." I accept the appellation; it is not at all offensive to me. The right of secession has been claimed by many able and distinguished jurists and constitutional lawyers, but I have never been convinced that the right existed. The arguments pro and con have always left me in doubt, with an inclination in my mind against the abstract right. But in spite of charters, compacts, and constitutions, a people who conscientiously believe they have been oppressed and wronged and can secure no redress have the inborn right to throw off the yoke

that galls and strike for their liberties. I would rather be termed a rebel than a secessionist. The former makes no attempt to shield himself behind an asserted reserved right in a compact; the latter seeks to justify his action by asserting a compact or constitutional right, to be exercised at the will and pleasure of a State. I do not believe the fathers ever intended to create a Union of States to be broken at any time by a discontented State. It would have lacked all cohesive power, and it would have been as unstable as "a rope of sand"—a Union to-day; a broken and dismembered Union to-morrow.

Yes, I prefer the term "rebel" to the term "secessionist." I would rather stand upon the eternal principles of the Declaration of Independence and upon which the fathers of the Republic acted, than upon the assertion of an implied right claimed under the compact between the States.

George Washington and his compatriots were rebels, and gloried in the term, because they believed in their heart of hearts that their cause was just. Why should the followers of Davis and Lee disdain the term "rebels"? They were just as much in revolt against the United States Government as were the people of Massachusetts when they threw overboard the tea in Boston harbor. I remember with what gusto and feeling the Confederate camps would often resound after nightfall with the refrain:

"Rebels! 'tis a holy name!  
The name our fathers bore  
When battling in the Cause of Right  
Against the tyrant in his might,  
In the dark days of yore.

"Rebels! 'tis a patriot's name!  
In struggles it was given;  
We bore it then when tyrants raved,  
And through their curses 'twas engraved  
On the doomsday-book of Heaven.

"Then call us rebels, if you will—  
We glory in the name:  
For bending under unjust laws,  
And swearing faith to an unjust cause,  
We count a greater shame."

This is the way I feel in this year of our Lord, 1904; that is, I feel that from 1861 to 1865 I was a rebel, and that with heart and soul, might and main, as one of the units in the 600,000 soldiers the South had on her rolls, I strove to make the revolt a success and to establish the independence of the South and place the Confederate Republic among the nationalities of the earth, and to float her flag of stars and bars in every pathway of commerce, in every harbor and over every sea of the inhabited globe. But there is no longer a spirit of revolt or rebellion in my bosom. With Lee's surrender at Appomattox, though feeling as keenly as mortal man could feel the downfall of Southern hopes, I took my oath of allegiance to the Government of the United States "without mental reservation or secret evasion of mind."

The Confederate when he took his oath of allegiance to the United States choked back many an emotion and took it because there was nothing else for him to do. He could not leave the country. He would have been prevented. If he could have made his escape he had no place to which he could go, and he had no money, for a basketful of Confederate money would not have purchased a potato; it was of course worthless, and had been virtually so for months before. I think I have heard General Gordon, in illustrating the worthlessness of our currency toward the close of the war, tell the story of a fellow who was offered \$5,000 for his mule in the winter of 1864-65, when he replied: "Do you take me for a fool? I just paid \$1,000 to have this mule curried." I paid to Mr. Spence, merchant tailor in Richmond, in December, 1864, \$1,800 for the last uniform—coat, pants and vest—I purchased; the coat I have now. And in the last days of February, 1864, I paid \$100 for four Havana cigars in Mobile, Alabama, that had run the blockade.

But when the Confederate soldier took his oath of allegiance he did so in truth, "without mental reservation or secret evasion of mind"; and while, as I have said, he took

it with emotions, in fact with a heaving breast and deep sigh and wry face, he kept it faithfully.

The Confederate would not have left the country if his way had been clear and his pocket filled with greenbacks, for he would not have deserted his land in her blight and desolation, nor his home where his loved ones were struggling in poverty. He was too much of a man to turn his back on his land, home and kindred. Vivid before his mind were spots, and many of them, which had been "so devastated that a crow flying over them would have to carry his own rations," as General Sheridan declared in his message to the Secretary of War after his famous raid of 1864 through the Shenandoah Valley.

## CHAPTER XVIII

### A TRYING EPISODE AFTER THE WAR.

I am Indicted at my Old Home for Acts of War—Requisition made on the Governor of Virginia for me—I Call on the Governor—His Advice—My Petition to President Johnson and the Result—A Change in Sentiment at My Old Home—A Tribute to Governor Pierpont.

There was an occurrence in the fall of 1865, resulting from the War, and so trying and important an episode in my life that it should be related in these reminiscences.

As already stated, my home was at Berkeley Springs, Virginia, now West Virginia, and I operated in that section to a considerable extent during the days of the strife; and by reason of my thorough knowledge of the country I was always, with a few men, more or less successful on my expeditions, attacking small Federal forces, tearing up railroad tracks, and in some instances destroying railroad property. Being in a hostile country I seized, under orders, horses and cattle, and brought them out for the use of the Confederate Army. Finally the Governor of West Virginia offered a reward for my capture, but while the reward was no doubt an incentive to many to make the effort, no reward was ever paid, for I was never captured.

In the summer of 1865 indictments were found against me. They gave me no concern, for I believed they had been found under the stress of passion, and that reason would soon resume its sway and the disposition to punish me for fair and legitimate acts of warfare would subside; but I was mistaken in my judgment. Passion did not cool. In October I was informed that the Governor of West Virginia had made a requisition upon the Governor of Virginia, Honorable Francis H. Pierpont, for me, and that the sheriff of Morgan County would leave in a day or two for Richmond with the requisition. This stirred me to the utmost. I employed Messrs. Sheffey and Bumgardner, of Staunton,



as my attorneys; they prepared a petition for a writ of habeas corpus, addressed to Judge Lucas P. Thompson, of the Augusta Circuit, to be presented in the event Governor Pierpont honored the requisition. Acting under the advice of my attorneys, I took the train the next morning for Richmond for the purpose of seeing Governor Pierpont. I arrived in the evening and stopped at the Exchange Hotel.

The next morning I walked up to the Executive Mansion, and was shown into the Executive Office, where I found the Governor at his table. I introduced myself to him, told him of the requisition, and gave him an account of my operations which had led to the indictments, and said in conclusion: "Governor, everything I did was legitimate and generally under orders. I give you my word of honor I shall not leave the country. I appeal to you as a citizen of a State whose Executive you are to protect me from the wrong that is being attempted." He replied: "I have neither seen nor heard of any requisition. What relation are you to John O'Ferrall?" I said, "I am a son of John O'Ferrall, and I am a relative of the Zanes and Moores of Wheeling, whom you no doubt know"; he was from the Wheeling section.

He said: "I served some years ago in the legislature with your father and we were close personal and political friends. I know your relatives, the Zanes and Moores; they are excellent people. By the way, there was a young O'Ferrall, a boy, elected clerk of Morgan County, a while ago. What has become of him?" I replied, "Governor, it was I who was elected clerk." "Is that possible," said he. "Then you gave up your office to go into the Confederate Army, and that has got you into this trouble." He stopped talking, and for some seconds seemed to be in deep study. Then he said: "This thing is all wrong. The war is over. Both sides did wrong. You may have acted improperly, and some of your acts may have been unjustifiable, but I see no reason why you should have been picked out from the number who did as bad as you did or perhaps worse. I advise you to employ counsel and bring the mat-

ter before President Johnson and secure protection; I think he will grant it; I will write him." I thanked him most heartily for his advice, and said, "But, Governor, what about the requisition?" He said: "Leave that matter in my hands? You say that you do not intend to leave the country. Now go home and do as I tell you." I shook hands with him, the pressure of his hand indicating where his heart was; he followed me to the door of the old mansion, and his parting words were, "Do as I tell you."

The night of this day, about ten o'clock, in company with two Confederate comrades, I walked into the office of the Powhatan Hotel, now Ford's, and I found on the register the names of the sheriff of Morgan County and his posse, consisting of five men. Six men had come on to take me back to my dear old home to be tried upon the charges contained in the indictments. I knew every man—the sheriff had been my father's friend and mine; his posse consisted of young men with whom I had been raised, had gone to school, played ball and shot marbles, wrestled and tussled on the school-house campus with, and but for the assurances I had from Governor Pierpont I am sure I would have added trouble to trouble.

The next morning, which was Wednesday, I returned to Staunton, and on my arrival I went immediately to the offices of my attorneys and related to them the result of my interview with Governor Pierpont. On Thursday I received the following telegram from the Governor: "The requisition has reached me. Do as I told you."

The petition to President Johnson, reciting all the facts, was promptly prepared. Judge Hugh W. Sheffey took the first train to Richmond; there he laid the petition before the Governor, and he endorsed it as strongly as language could do; from Richmond Judge Sheffey proceeded to Washington and presented the petition to the President, and after some days—days of intense suspense and anxiety to me—he wired me, "All is well," lifting from my spirits a weight most mighty, and the next day he returned to Staunton and delivered to me the paper, relieving me of all fear of trouble


and bringing happiness into my home. With a heart full of gratitude I wrote Governor Pierpont, and invited him to be my guest at any time he might visit Staunton. The following summer he spent a night with me on his way to the springs.

At my old home there was much excitement. Sentiment was divided. We had an old colored servant, "Uncle Sam," who had remained loyal to my mother during the entire war. On the evening the return of the sheriff was expected there was quite a crowd in town, and "Uncle Sam" was on the lookout, while my mother and sisters were gathered together, in tears.

Finally the sheriff and his posse were seen some distance off, coming from the railway station. "Uncle Sam" discovered they were returning without me, and sobbing with joy he rushed to where my mother and sisters were, exclaiming, "Miss Jane, they are coming, and thank God they haven't got him!" Many rejoiced that the sheriff had failed in his mission, while some extreme and desperate men were greatly angered and were violently demonstrative.

It was several years after this occurrence before I learned what passed between the sheriff and Governor Pierpont. The particulars were then given me by Hon. Charles H. Lewis, who was Secretary of the Commonwealth under Governor Pierpont, and Minister to Portugal during the Administration of President Grant.

Colonel Lewis and my father had been warm friends. When the Colonel heard of the requisition he went immediately to see the Governor at the Executive Mansion, and condemned in emphatic terms the act of the Governor of West Virginia. He was present when the sheriff arrived at the Executive Office. The Colonel told me the interview was very short; that the Governor simply looked at the paper and said to the sheriff: "I have heard of this requisition. I will take it and consider it when I have plenty of leisure. You can return to your home. The war is over and we want peace."



My visit to Governor Pierpont was the first time I had ever entered the Gubernatorial Mansion. Little did I think I would ever occupy it, and yet twenty-eight years after my visit to him I was elected Governor, and in the same room, with my table in the same place, I administered to the best of my ability the affairs of the State. Many times during my four years, in the stillness of night as I sat in the very spot where Governor Pierpont sat as he listened to my statement of facts and gave ear to my appeal for protection from a grievous wrong, has my mind run back to that ever-memorable October day.

It is with extreme pleasure that I here refer to the great change that a few years wrought in the feeling and sentiment of the little mountain county of Morgan. In 1879 I visited Berkeley Springs, and the night after my arrival I was serenaded by the town band. I stepped forward simply to express my appreciation of the honor, but I was compelled to do more—a speech was demanded. Emotions filled my breast.

I stood under the porch-roof of my boyhood home—where grand-parents and father had died; where brothers and sisters had been born and where some had died. In sight of where I stood was the church-yard where my kindred dust reposed, the playground of my school days was near by; memories fast and thick came trooping around me. I was treated with the utmost respect, and in the band were two of the sheriff's posse who with him made their pilgrimage to Richmond in 1865. In 1880 I was invited to deliver a Fourth of July speech at the old place. I accepted, and spoke from a stand erected under the far-spreading branches of a huge oak where I had on Independence Day twenty years before made my first Fourth of July speech at a Sunday-school picnic, and when the skies were clear of war clouds. I received a most cordial welcome—all war feeling was gone, all animosities had been buried, and the Unionists and Federal soldiers of 1861-65 cheered the patriotic sentiments of a Rebel Confederate soldier with warmth and enthusiasm. This was my last visit to Old Berkeley,

and if I were to return there now I have no doubt I would be as lonely as was Rip Van Winkle when he returned to his home town after his long sleep in the Catskill Mountains.

Recurring for a moment to Governor Pierpont, my regard for his memory prompts me to say that his heart was as warm as ever beat in a human breast. He was opposed to secession and was an ardent Unionist.

He had been elected Governor of what was termed the "reorganized State of Virginia" on the 20th of June, 1861. Subsequently the State of West Virginia was formed and admitted to the Union and A. I. Boreman was inaugurated as Governor. In May, 1865, President Johnson issued an order for the enforcement of the Federal laws in Virginia, and recognizing the administration of Governor Pierpont as the loyal government of the State. The Governor at once assumed his executive duties in Richmond, and continued until April 4th, 1868, when he was succeeded by Henry H. Wells by virtue of military appointment, Virginia being shorn of her Statehood, and designated "Military District Number One." Governor Pierpont's duties were difficult and perplexing, but he was amiable and kind, and his administration was as conciliatory and conservative as the orders from Washington permitted. He was truly a good man, and died at a ripe age at his home in Fairmont, West Virginia, beloved by all his people.

## CHAPTER XIX

### THE HORRORS OF WAR.

Chickamauga—An Exhibition of Valor and Courage—The American Soldier Unequaled in Fighting Qualities—His Ability to Stand Privations—His Obedience to Orders—An End to His Powers—The Only Solemn Hour—The Humors and Witticisms of Camp—The Noble Marylanders.

The hideousness and horrors of war have never been fully depicted.

Many times have I stood before battle-scenes as portrayed on canvas by the brushes of masters, but not one of them conveyed to my mind the true idea of a real field of carnage. I believe the scene of a great battle is simply indescribable. Wellington said: "Take my word for it, if you have seen but one day of war, you would pray God that you might never see such a thing again."

Particularly do I speak of our fratricidal strife of the nineteenth century, for it surpassed in its streams of blood and crimsoned acres any war in the world's history.

Think of Chickamauga, where the losses on the two sides reached 25,000 in killed and wounded, and where the percentage of losses was three times as great as the seven famous battles of Lodi, Zurich, Wagram, Waterloo, Magenta, Valmy, and Solferino. Think, too, of Antietam, where more killed and wounded were scattered than on any field of a single day's fighting recorded in the annals of time. With what force do these facts attest the desperate fighting qualities and heroism of the American soldier, without regard to sectional or geographical lines.

On the 15th of May, 1864, I witnessed an exhibition of American valor and courage by about two hundred and forty boys from fifteen to eighteen years of age, which has never been surpassed, and will never be eclipsed through the ages to come. These boys composed the corps of the Virginia Military Institute, known as the West Point of the

Confederacy. They had come from every State in the South to be educated at this splendid institution of learning established at Lexington in 1839, and from whose classrooms Stonewall Jackson, who was a professor, walked in 1861 to the Pantheon of eternal fame in 1863.

At the Battle of New Market the Confederate authorities were hard pressed to mobilize a sufficient force to meet Sigel, who was moving up the Valley, so in their extremity the Virginia Military Institute Corps was added to the small force which had been hastily gathered together under General John C. Breckenridge.

The battle was fought on an open field of rolling ground, and the Confederates made the attack, and were exposed to a terrible fire from many guns as they advanced for a long distance without protection of any kind. With the step and steadiness of "regulars" these boys, each company with boy officers, marched across this open and exposed distance, keeping up perfect alignment, losing some men, among them Major Scott Shipp, commander, who was wounded, until they were close enough for their fire to be effective, when they let drive a volley or two, and then the command "charge" was given by Captain Henry A. Wise, first captain, now Superintendent of Public Schools of Baltimore city, and away they went with bayonets fixed, and in a few minutes they had routed the regiment of stalwart men in their front, captured some artillery, and immediately turned it upon their retreating foe with deadly effect, for they were trained as artillerists as well as infantrymen at their Military School. Never for an instant, from the command "forward" until they had routed and driven the foe in their front from the field, did they halt or falter. Whenever one of them fell, killed or wounded, the gap closed up, and when shell and leaden hail were tearing, raking, and piercing their line they kept it in as perfect shape almost as if they had been on dress parade.

I was with my cavalry regiment, occupying an elevated position on the right of our forces, and saw the whole of our infantry line, while the fight was going on, except a few

hundred yards on the left, where the line dropped off down the slope to a branch of the Shenandoah River.

The loss of the corps, in killed and wounded, was about fifty, or one-fifth of their number. I repeat, that never in the annals of time did a body of boys—all in their teens, many low down, all beardless—achieve such renown and glory.

Of course, I know there were innumerable instances of boy heroism in the Northern Army, and it would give me pleasure to record them if I had knowledge of such, but my position excluded me from observing them. I should be glad to read instances of the like from some writer who wore the blue, but it would be impossible for him to relate an instance of such an aggregation of boy heroes in a single battle as that of the Virginia Military Institute Corps, on the 15th day of May, 1864, in the classic Valley of the Shenandoah in the Battle of New Market, where a monument now stands bearing the inscription of the names of the 240 smooth-faced, beardless youths whose deeds have been immortalized in song and story.

Not only is the American soldier unequalled in his fighting qualities, but his powers of enduring fatigue, hunger, and suffering are unsurpassed. Stonewall Jackson's army seemed to be able to march any distance and any length of time that necessity or emergency might require, without food, sleep or rest. For instance, on a Friday, at twelve o'clock, Jackson's army was nearly sixty miles from Strasburg, while on Sunday evening, about three o'clock, the whole army was at Strasburg, and all this after the army had been marching almost continuously for nearly thirty days, and fighting much of the time.

I have known a brigade to live for many days on green corn and fruit, not a morsel of meat or bread crossing their lips, and toward the close the Confederate was fortunate indeed if he could keep his haversack fairly supplied with parched corn.

The soldiers of Lee's army who during the last year were shoeless, with lacerated feet bound in old rags as they made



their snail-like way, suffering constant pain, could have been counted by the thousands. Still, however intense the fatigue, however severe the gnawing of hunger, or however torturing the pain and suffering, there was not a murmur. The endurance and heroism was simply sublime.

There is another characteristic of the American soldier that is worthy of note. It is his obedience to orders and submission to discipline. In the armies of the Confederacy, and I have no doubt in the armies of the Union, there were in many regiments, and even brigades and divisions, numbers of private soldiers who in intelligence and judgment were vastly superior to their commanding officers, yet they obeyed promptly every order and conformed themselves, without a word, to every rule of discipline.

No encomium too high could be bestowed upon the representative American private soldier. His deeds reared his commanding officer to the realms of eternal fame, sent his name upon the wings of the wind to the farthestmost section of the inhabitable globe, engraved it upon imperishable tablets, wrote it in never-fading letters in the skies of glory, embalmed it in the affections of the people, and caused towering monuments to be erected to his memory; while he, the private soldier, fell at his post to fill perhaps an "unknown" grave, without even a drum beat to his memory as the rude spade rounded up his mound. He had volunteered to go "where bugles called and rifles gleamed," and with steady pulse and unflinching mien he gave his life for what he had been taught was right.

But while endurance and fortitude are striking characteristics of the American soldier, there is necessarily an end to his powers. He is human flesh and blood.

So, in spite of all, the Confederate Army finally reached a point when but a handful was left to sight the rifle, pull the lanyard, and wield the sabre. Appomattox was the fated spot, and the 9th day of April, 1865, the fated day. There and then the Army of Northern Virginia, that had dipped its conquering banners in the commingled blood of the blue and gray upon so many fields, had been reduced to

less than 8,000 organized infantrymen with arms, and its whole number, including the sick and disabled, was only 25,000. Its idolized commander had been pitted against five separate distinguished Federal commanders-in-chief—McClellan, Pope, Burnside, Hooker, and Meade, and yet the stars and bars had been kept proudly streaming in the breezes. It was not until the intrepid and persistent Grant was assigned to the command of the Army of the Potomac that the Confederate banner was furled, and this was not done until by constant blows and incessant hammering, and the daily mustering of fresh troops, Lee's army, half fed, feeble and weak, was reduced to a fragment, and its immortal commander, impelled by the instincts of humanity, and feeling that further resistance could only result in the shedding of more blood, the making of more widows and orphans, in a cause that was lost. Then and not till then came the surrender of the little jaded and worn army, the furling of its bullet-riddled and tattered flags, and the stacking of its remnant of rifles. Then and not till then was the cause of the South plunged into the abyss of eternal defeat.

While I have no right to speak for a Union soldier, I am sure I voice his sentiments when I declare that he regarded the Confederate soldier as worthy of his steel, on every field where they met, on every plain where they fought, whether the stars and stripes or the stars and bars floated in triumph.

They were both American soldiers, in their veins coursed American blood, and in their bosoms throbbed American hearts.

Nothing was more wonderful than the glee and cheerfulness of the almost naked and half-fed men who followed Lee with unflinching devotion to the hills of Appomattox. The sound of Dixie or the Bonny Blue Flag would bring cheer after cheer, however red the battle glare, however dense the sulphurous smoke, however thick the minies crackled, however demonlike the shells shrieked, however thick the dead were strewn, and however slippery was the ground with blood.

The only solemn hour in Southern or Northern camp was the meditative hour after battle, when comrades and messmates were missing, and then too another hour when the bands at nightfall would strike up "Home, Sweet Home." Every soul then melted, every eye then kindled. I have heard both sides cheer until they were almost hoarse, while the bands played Northern and Southern National airs, and I have heard every cheer hushed instantly, and the stillness of midnight sweep over each camp, as the bugles and horns would break into "Home, Sweet Home." It would have the most subduing and melting effect, and there is no man that lives to-day who loves near so well the strains of this immortalized song as the soldier who passed through the battle of brothers, whether he fought under the flag that glistened with its cross or spangled with its stars.

The humors and witticisms of camp and field were as variant as sea-shell forms on the beach. Many have already appeared in these reminiscences, but more crowd so rapidly on my memory that it seems that I must put some of them in perpetual form.

There was an Irish mess in my regiment. One night I heard Tim say to Mike: "Mike, I left some whiskey in me haversack whin I went out this avening. Where is it, Mike?" Mike replied: "Tim, why don't you ask me something aisy? Ye might as well have asked me where the dust of St. Patrick rests." It is well known that there has been a dispute for generations among Irishmen, as to where this patron Irish Saint was buried.

At the Second Battle of Bull Run, when Jackson had by strategy and fast marching got into the rear of Pope's army, and while waiting for Longstreet he was fighting with great desperation, an old Texan said: "Well, boys, I have all the faith in the world in Stonewall, and feel sure he's going to bring us out all right, but it looks mighty much to me like he has cut off a bigger piece this time than he can chaw."

The old fellow was about right as things looked, but Jackson knew what he was doing, and about six o'clock in the evening, with the aid of Longstreet and Stuart, and the whole army under the command of Lee, a mighty Federal rout occurred and a glorious Confederate victory was achieved.

The following story went the rounds of the camps. A certain regiment had reached on its march a section where there had never been a soldier. The farmers supplied them with eatables of all kinds in profusion. One fellow loaded himself up well and went off and took a seat on a log. He had in his haversack a quantity of slapjacks, dough fried in grease, and he commenced to eat his slapjacks instead of the "pies and things" he had just drawn from the farmers' wagons. A comrade asked him why he was eating his old, tough and hard slapjacks when he had at his side such fresh and good eating. He replied, "I can't afford to throw them away; I must eat them to save them, and to make room for what these ladies have given me." "Well," said his comrade, "you remind me of an old maid who lives near my home. She was clearing out her bureau drawers and she found two blister plasters in them; she wanted to get them out of her drawer, and yet didn't want to throw them away, so she gently raised her skirts and slapped them on her thigh as a good place to keep them. The result was they gave her fits. So you didn't want to throw your slapjacks away and you ate them to save them. Now watch out, you will get fits too before long." Sure enough, during the night two surgeons were working to save the fellow's life, and they barely succeeded. Economy stood a Confederate soldier well in hand, but this fellow carried his economy too far.

I might continue to relate camp stories almost ad infinitum, heard during the four years of war and retained in my memory, but I must refrain.

As a fitting finale of the narrative part of these reminiscences, I come to notice a certain band of Confederate soldiers who gained undying fame, glory and renown where-

ever the Confederate colors, riddled, tattered and torn by bullet, shell and canister, floated. I refer to the sons of Maryland who cast their fortunes with the South, and with unflinching fidelity followed her cause until the last shot was fired and the last musket stacked.

On no pages where the deeds and achievements of the soldiers of the Confederacy are painted should that band of true, brave, and heroic men, who left their homes just across the waters of the historic Potomac, humming the air of "Maryland, my Maryland," or the "Bonnie Blue Flag," to link their fortunes for weal or woe with the cause of the South, ever be forgotten. At the sound of the war trumpet, or rather when Virginia seceded, Maryland at heart was as loyal to the Confederacy, as any State in the Southern sisterhood. Her soul was filled with a determination to resist any invasion or the crossing of her territory by armed bodies bent on the subjugation of the seceded States. She ran up the flag of secession and it floated proudly in the breezes. She resisted the passage of the first Federal troops through Baltimore, and the streets were made red with Maryland blood. But her unorganized and unarmed citizens could not cope with organized and equipped troops and her effort was futile.

She strove with all her power to assert her will and become a State in the little Republic, but her waters were soon under Federal control and her people were held in subjection, and dominated by pointed guns from her bays and rivers. She was rendered powerless as a State to take her stand with the South in the coming conflict. But while she was bound hand and foot, thousands of her sons made their way to where the stars and bars were streaming. Safely in "Dixie" they scattered all over the Southland, and joined commands in every State, but a large proportion of them attached themselves to the Army of Northern Virginia, and now many, very many of them sleep the sleep that knows no waking in Virginia's soil, and upon their mounds flowers are strewn at each recurring Memorial Day.

I knew numbers of these gallant men in the Army of Northern Virginia, and served in the same command with some of them, notably the intrepid Harry Gilmor, the author of "Four Years in the Saddle," who was a captain in the Twelfth Virginia Cavalry at the same time I was a captain in it. A more daring, dashing soldier never flashed a sabre. I knew, of course, General Bradley T. Johnson, whose deeds are worthy of the brightest pages of the war's history. I knew intimately the whole-souled and chivalrous Captain Frank Ward, who was seriously wounded in the passage of the Federal troops through Baltimore in April, 1861. I knew Maj.-Gen. Arnold Elzey, who lost a leg; Brig.-Gen. George H. Steuart, and Brig.-Gen. Charles S. Winder, who was killed at Cedar Mountain, August 9, 1862. I shall leave these distinguished soldiers where other writers, in glowing terms, have placed them. I knew Colonel Dorsey, Major Goldsborough, Captain Myers, who was killed at Gettysburg, and Captain Welsh; their records require no word from my pen, they were unsurpassed.

But while Maryland was loyal, like Virginia her sons were not all true to the cause of the South, and she furnished soldiers to the Federal side.

I was in the fight at Front Royal, where the Confederacy's First Maryland met the Federal's First Maryland, and in which the former defeated and captured the latter, including its colonel. The fighting was furious, but our boys were in to win or die, and while their ranks were thinned, they won most gloriously.

In every Memorial Hall, on every monument or memorial pile where the names of the States that formed the Confederacy may be inscribed, a place should be assigned for the name of Maryland. Her heart was with the cause, thousands of her sons helped to fight its battles, myriads of them died on fields of carnage, and she did not in fact secede because restrained by a mighty hand.

## CHAPTER XX

### CONCLUSIONS DRAWN FROM THE GREAT CONFLICT.

The Question of which Side was Right Will Remain Unsettled to the End of Time—A Reunited People—The Bitter Memories of the South—The Spirit of the South not Crushed—Lincoln's Death a Great Disaster to the South—His Death the Spring from which Flowed the Countless Woes of Reconstruction—The Whole Struggle Without a Parallel in the Annals of War—The Foremost Chieftains of the South and North—All Loyal to the Flag that Floats over the Country.

Nearly forty years have passed since the fall of the Southern Confederacy. Nearly forty summers have shed the fragrance of their flowers upon the mounds of the blue and gray who yielded up their lives on fields of carnage or hospital cots. Nearly forty winters have spread their white mantle over the graves of the sons of the North and South who died for their convictions.

Whether the South was right and the North was wrong, or the South was wrong and the North was right, will remain an unsettled question to the end of time. Each section will have its own tribunal, its own court of last resort, its own people to pass upon the issue joined from 1861 to 1865. In the homes and universities, and institutions of learning of each, their respective creeds and doctrines will be taught, and thus from generation to generation the youth of the South will learn that she was right, and the youth of the North will learn that she was right.

But we are a reunited people, with one flag, one Constitution and one destiny. Each State is an integral part of this Union and stands the co-equal of her sisters under the aegis of the Constitution of this land. Let the teachings of the two sections continue, for they can do no harm. The South, the loser and sufferer, has long since become reconciled to her defeat; and the North, the winner and conqueror, has long since recognized the sincerity of the South's position and the honesty of her convictions.

The South has far more bitter memories than the North. Both lost heavily in blood and in brave men; both heard the wails of widows, the moans of mothers, and the sighs of sisters, but the North emerged with prosperity smiling upon her and with scarcely a sign of the "battle's red blast" or a trace of the hoof of war. Her people were thrifty; her homes were untouched; her farms unharmed; her cities and towns, villages and hamlets were buzzing with the wheels of industry, and her harbors were crowded with the crafts of every clime.

The South was left a land of desolation, wrecks, and ruins. Lone chimneys filled the landscape, standing like sentinels over the ashes of happy homes; her barns, mills, and factories had been licked away by fiery tongues; her industries were all hushed; her fields were in weeds and her ploughshares were rusty; her cities and towns, villages and hamlets were almost as waste places, and their people, all in the depths of poverty, went about the streets like mourners.

But the fall of the Confederacy had not crushed the spirit and manhood of the South, and her men, with the same courage that they had fought her battles, began their fight against adversity and poverty. Mighty indeed was the struggle; great were the obstacles they had to encounter, and stupendous were the difficulties they had to overcome. I shall not run through the days of Militarism and Reconstruction. Passion, not reason, then sat upon the throne of power. Carpet-baggers held high carnival, and serpents reached pinnacles as high as eagles perch. Undismayed, the people of the South continued their struggle, and finally State after State rejoiced as the dawn of prosperity began to break and carpet-bag rule began to wane. It took years for the South to become regenerated and disenthralled, but righteousness finally came, and each State found herself basking in the sunlight of prosperity, home rule, and State sovereignty.

It is the consensus of Southern opinion and has been for many years, that the South would have fared far better but for Booth's bullet and President Lincoln's death. It would



have been the policy of the illustrious President, in whom the people of the North so confided as to make his will the law, to restore the seceded States to their places in the Union with as little friction as possible. His heart was kind, he bore no malice, the rebellion had been suppressed, his earnest purpose had been accomplished—the restoration of the Union. In his first inaugural address he was most conciliatory, and declared that “Though passion may have strained, it must not break our affections.” He spoke of “the mystic cords of memory” stretching all over our land. He was loath, even in 1863, to issue the Proclamation of Emancipation, and did it, as he declared, “as a fit and necessary war measure for suppressing the rebellion,” and excepted from the operation of his proclamation all loyal territory, including forty-eight counties in West Virginia and seven counties and two cities in Virginia.

But his tragic death aroused the passions of the North, and for some reason there was a disposition to visit vengeance upon the Southern States for the diabolical deed, when the South condemned and reprobated the horrible act with all the feeling and sincerity of a brave and chivalrous people.

No human being with certainty can tell; God only knows, what the policy of President Lincoln would have been toward the South, but unless the nature of the man had been changed, if he had lived the South would have escaped the oppression and tyranny she so long suffered.

When Carpenter’s picture of the Signing of the Emancipation Proclamation was presented to the Government in 1878, he who had been the Vice-President of the Confederacy, the pure and gifted Alexander H. Stephens, put on record his estimate of Lincoln.

After speaking of his long acquaintance and close intimacy with him, Stephens said:

Of Mr. Lincoln’s general character I need not speak. He was warm-hearted; he was generous; he was magnanimous; he was most truly, as he afterwards said on a memorable occasion, “with malice toward none, with charity for all.” He had a native genius far above his

fellows. Every fountain of his heart was overflowing with the milk of human kindness. From my attachment to him, so much deeper was the pang in my own breast, as well as of millions, at the horrible manner of his taking off. This was the climax of our troubles, and the spring from which came unnumbered woes.

Thus spoke this great Southerner.

There is an abiding belief in the minds of the thoughtful men of the South that if President Lincoln had lived President Davis would never have been made a vicarious sufferer; no dark and foul casemate would ever have confined him; no clanking chains would ever have been riveted about his limbs; no sentinel would ever have stood day by day and through the silent hours of night with his eye fixed upon him; no strong men would ever have seized the weak and emaciated form in the filthy casemate and borne it to the rocky floor, and there held it until the brawny arm of a blacksmith shackled the ankles and fastened irons upon the wrists.

No such cruel, brutal, and cowardly deed would ever have been tolerated, much less ordered, by Abraham Lincoln.

There is also a deeply-rooted belief in the minds of the thinking men of the South that Mr. Stephens was right when he declared that the assassin's deed was the spring from which came our countless woes. There would have been no military districts with Federal bayonets glistening everywhere among an unarmed and helpless people; no arrests by the orders of provost marshals upon charges of irresponsible and debased renegades and negroes; there would have been no carpet-bag governments supported by Federal soldiers, lording it over a people who were defenseless, imposing taxes to enable them to enrich themselves, and levying upon the substance of the land to sustain them in their riotous living; the terms "carpetbagger" and "carpetbagism" would be unknown words, and would have no places in our vocabularies.

The Confederate States of America is now only a memory; for four years it lived; it is now only enshrined in the

hearts and affections of its people; it was founded upon the eternal principles "of a government of the people, for the people, and by the people"; it had its President and his Cabinet, its Vice-President and its retinue of officials, and a Great Seal; it had its Senate and House of Representatives. It was a Republic, simple and pure, in form and principles, and during its life its people sang:

"Our hearts, our hopes are all with thee;  
Our hearts, our hopes, our prayers, our tears,  
Our faith triumphant o'er our fears,  
Are all with thee,—are all with thee."

And then when defeat came, and all hopes were buried, the poet laureate of the South tuned his lyre to touch Southern souls, and immortalized in song the glories of "The Conquered Banner." How pathetic are his words; how thrilling his lines:

"Take that banner down! 'tis tattered;  
Broken is its staff and shattered,  
And the Valiant hosts are scattered,  
Over whom it floated high.  
Oh, 'tis hard for us to fold it,  
Hard to think there's none to hold it,  
Hard that those who once unrolled it  
Must now furl it with a sigh.

"Furl that banner! True, 'tis gory,  
Yet 'tis wreathed around with glory,  
And 'twill live in song and story  
Though its folds are in the dust!  
For its fame on brightest pages,  
Penned by poets and by sages,  
Shall go sounding down the ages—  
Furl its folds though now we must."

But as I have said, "The Conquering Banner" which was not furled had its glories as well as "The Conquered Banner," yes, many glories; and the glories of both armies are the common glories of America.

We were divided, as were our fathers divided, and we had reached a point when the issues, as the South believed and I think the North believed, should be settled. All ef-

forts at friendly settlement had failed; all attempts at compromise had been futile. There were fundamental differences between the sections; slavery was not the real cause, it was used to stir the sections; but the causes lay deeper. The North was commercial and the South was agricultural—there was a clash of interests; legislation beneficial to one was likely to be injurious to the other. The North favored a strong central government, the South believed in a government limited and confined to the distinctly delegated powers; the former was for a broad construction, and the latter a strict construction of the Constitution. Harmony was impossible; the issue had to be fought out, and it took four years to do it.

That struggle has no parallel in the annals of war. It was American blood against American blood; it was American valor and endurance against American valor and endurance. It was as all must admit, an unequal contest in numbers and resources; the North had a Navy, the South had none; the North had unlimited credit, the South had none; the North was able to put in the field 2,700,000 men, the South only 600,000 men; still the South had the advantage of acting on the defensive, fighting in a friendly land and generally choosing her own battle-grounds. This statement, I think, is fair and impartial.

None but Americans could have conducted a defensive warfare under such circumstances so long as did the Southerners, and none but Americans under the circumstances could have ended the conflict so soon as did the Northerners. Fredericksburg and Malvern Hill, Chickamauga and Gettysburg will ever stand upon historic pages as evidences of supreme American valor, while the stories of hundreds of other fields will bear no less testimony to the fighting qualities, chivalry, and daring of the American soldier, whether he fired and charged under the stars and bars or the stars and stripes.

It seems to me that it would be a day most glorious if the government of our forever-reunited land would erect side by side, on the Capitol grounds at Washington, on pedestals

of equal height, statues of Ulysses S. Grant and Robert E. Lee, and let them stand as the two greatest military chieftains America has ever produced. The glory of each is the common glory of the North and South and the glory of the armies that carried these great commanders to pinnacles of fame,

"Above all Greek, above all Roman fame."

Why should this not be done? Was not Grant the foremost Chieftain of the North? Did he not bring victory to the Union cause in less than twelve months after he assumed the command of the Army of the Potomac? Many generals had sought in vain for three years.

Was not Lee the foremost Chieftain of the South? Did he not meet and defeat overwhelming numbers on field after field, under selected generals, and keep the flag of the Confederacy streaming in the breezes for four years?

Did not Grant display nobility of soul in his magnanimity to his conquered foe at Appomattox? Did he not add leaves to his chaplet of fame after the surrender in demanding that every paroled Confederate soldier should be protected, and that the Government should carry out in good faith the pledge he had given his brave but vanquished foe?

Did not Lee glorify still more his name when he cast aside, after his untarnished sword was sheathed, all offers of pecuniary aid and offers of lucrative position, and assumed the duties of educating the youth of the land and instilling into them fidelity and loyalty to their reconstructed country?

It is said that two Americans were making a tour of Europe some years ago; one had been a Union officer, the other a Confederate officer. At some point a group of foreign military officers were criticising Grant and Lee, when the Americans most earnestly defended both—the Union officer defending Lee and the Confederate officer Grant.

The Spanish-American War extinguished the last spark of sectional feeling between the North and South. When war was declared there was no Southerner or Northerner

left within the expanse of this Union. All were Americans and all rallied around their flag. The boy with the blood of a rebel in his veins was as quick to respond to the call of his country as the boy in whose veins coursed the blood of a Union soldier, and they enlisted together, touched elbows in the line, fought side by side, and slept under the same blanket; they stopped not to inquire, they cared not whether they were to be led by a Young or a Wheeler. The sons of living and departed Union and Confederate Veterans quenched any remaining ember of sectional animosity, whether in Maine or Texas, South Carolina or Massachusetts, on the Atlantic Coast or Pacific Shore.

At peace then with each other, with fraternal love one for the other in the breasts of the sections, and the Union cemented and more firmly united than ever in its history, with the terms Northerners and Southerners no longer heard, but only the broad and proud name of Americans sounding—why, I ask again, should not statues of America's two greatest and most illustrious military chieftains stand under the shadow of the dome of America's Capitol? They both belong to America; their fame and glory are the common heritage of her people, no State or section can claim them.

Looking back through the vista of the past; recalling the mighty events of the four years of carnage, the causes and the results; with years for reflection and for passion to cool, I cannot say that I am glad the cause for which Lee fought and Jackson died failed, but I do declare that I am as proud to-day of my country as was ever any Roman in the height of Rome's greatness, and when her eagles shadowed the earth from Lusitania to the Caucasus.

While I cannot speak by authority, it is my honest conviction that the surviving Confederate veterans are as loyal to the flag that now floats over them as they were to it in their maturing manhood, when on Independence Day the martial strains of "The Star Spangled Banner" ringing out from the drum and fife, or patriot voices, making the woodlands echo with the anthem,

"Columbia, Columbia to glory arise,  
The queen of the world and the child of the skies!"

stirred their blood and thrilled their souls.

They all recognize the grandeur and sublimity of this American Republic, the cynosure of all nations' eyes, respected by all principalities, cherished as a friend and feared as a foe. They still have, as they will ever have, their memories, just as the Federal veterans still have, and will ever have, their memories—yet they remember that fratricidal strife came to them and their Northern brethren as a heritage from the fathers, and that it was waged by both without personal malice and for what each had been taught was right.

They failed to achieve their independence, but out of their failure has grown a Republic so mighty in resources and so strong in her millions of robust, brave, chivalrous and strong-hearted sons, that she ranks among the nations of the earth, almost like Saul among the men of Israel.

It is said, "All is well that ends well," and it may be that the failure of the Confederacy was a blessing in disguise to the South, and a benediction to the Republic established by the fathers in spite of the giant power of a haughty king. It may be that in God's Providence the blood that crimsoned so many fields and the drapery of mourning that hung in so many homes were the means of building up and cementing in concrete mass an American Republic, with a star for every State and a State for every star, that will weather all storms, and grow in strength and power, and we trust in virtues, until the Mighty Angel with his right foot upon the sea and his left foot on the land shall swear by Him Who liveth forever and ever, "that there shall be time no longer."

**PART II**  
**THE AUTHOR'S OFFICIAL LIFE**





## CHAPTER I

### WASHINGTON COLLEGE—GENERAL LEE.

My First Official Position—I Run for Office at the Age of Seventeen—  
Graduated from Washington College—General Lee as a College  
President—His Influence Over the Students—Incidents of his  
Administration—The Graduates of My Law Class.

At the age of fifteen years I was appointed to an important position and entered official life. This sounds strange, but it is a fact easily verified by many living witnesses, as well as court records. It came about in this way. My father was the clerk of the Circuit and County Courts of Morgan County, Virginia, now West Virginia, elected at the first election after freehold suffrage was abolished and manhood suffrage adopted.

I was then a lad of eleven years of age, and my father required me to spend my school vacations in his office and to render such clerical service as he prescribed. Directly after I had attained the age of fifteen years my father died, leaving my mother with five children—three daughters and two sons, of whom I was the eldest. His means were quite limited and my mother was thrown in a large measure upon her own resources. The lawyers of the county, thinking I was competent under the training I had had to discharge the duties of clerk, and with a view of assisting my mother in her struggle, petitioned Hon. Richard Parker, Judge of the Circuit Court of Morgan County, to appoint me clerk *pro tempore* of his court.

The Judge, who resided at Winchester, thirty-six miles distant by country road, wrote to me to come to see him, and I rode to Winchester at once. The morning after my arrival I wended my way to his residence, a stately old mansion on an eminence in the suburbs of the town, with extensive grounds and original oaks rearing their heads far toward the clouds, and a broad walk leading from the front gate to wide steps. It was the month of March; the day was sting-

ing cold, the wind was blowing fiercely, and the great oaks were swaying their huge bodies to and fro and their strong limbs were lashing each other with the fury of a hurricane. My heart was sad over the death of my father. I was excited at the idea of appearing before the judge for examination as to the duties of a court clerk, but I summoned all my courage, and with a firm step approached the door and took hold of the old time "knocker" and rapped. A servant appeared and directed me to the Judge's office. He was a quiet, sedate man, but he greeted me cordially, put me at ease quickly, and in the most informal manner conducted the examination, and in a short time, much shorter than I had expected, it was over, and turning to his table he wrote my appointment as clerk *pro tempore* of the Circuit Court of Morgan County, and handed it to me. Solomon in all his glory was not prouder than I was on that cold and cheerless March day. Other honors high came to me in after years, but none which I appreciated more than my appointment by the lofty and pure judge, whose heart I could feel was beating in sympathy with mine, bruised as it was.

Thanking my benefactor for what he had done for me, I bade him good-by and left the old mansion. County Court was in session in Winchester, and being almost a total stranger I gravitated to the court hall. Soon some of the lawyers heard that Judge Parker had appointed a fifteen-year old boy clerk of the Circuit Court of the County of Morgan, and seeing me, a strange boy, sitting back in the hall, they jumped to the conclusion that I was the boy who had been so highly favored; so one of them, Major L. T. Moore, came to me, introduced himself, and asked me if I was not "young O'Ferrall?" I replied, "Yes, sir." He then invited me to take a seat within the bar. I went forward with him and he introduced me to the lawyers present, all of whom received me pleasantly and congratulated me. In a few minutes a gentleman entered the bar whom I had not seen. I observed at once that he was no average man, and that the entire bar showed him marked consideration. He was graceful in every movement; his face was hand-

some; his manner was genial and most pleasant. Very soon I was introduced to him, and he was told of my good fortune. Without a single word he put his arm in mine, led me to where there were two chairs close together, and seating me in one he took the other. Then he spoke to me for the first time. He said: "My boy, I knew your father and loved him. I am so glad Judge Parker has given you this appointment." He then poured into my ear praises of my dead father and words of encouragement to me, his eyes melting and mine filling with tears as he continued to speak. Never did words fall in more mellow ground; never did words sound sweeter to me. Never did my soul swell more with courage and determination. His beautiful language, flowing in a constant stream, charmed me, and I felt like asking him to stay when he told me he had to leave me to fill some engagement.

This man was J. Randolph Tucker, whose name afterwards rang from ocean to ocean, and from Maine to California, and of whom I shall have more to say before I finish.

I served as Circuit Court Clerk for several months, when the vacancy occasioned by the death of my father was filled by an election for his unexpired term. The new clerk retained me as his deputy.

When I was seventeen years old an election was held for clerk for a full term of six years. The incumbent declined to run, and the leading member of the local bar, Joseph S. Duckwall, suggested to me my candidacy for the position of County Court Clerk. Thinking he was not in earnest, I did not treat the suggestion seriously; but he assured me he was in earnest, thought I could be elected, and that I owed it to my mother to make an effort to secure it. I said: "You lose sight of the fact that I am only seventeen years of age. I am not old enough to be elected." He replied, "The Constitution fixes no age for county officers. The only question would be the validity of your bond, but that would be voidable, not void, and in my opinion you are eligible." I replied, "I will run"; and he wrote my card announcing my candidacy.

I bought a horse and started out to make a house to house canvass. My father's old friends received me warmly and pledged their support pretty generally. For a little while it looked as though I would have no opposition, but then a gentleman far advanced in life—easily old enough to have been my grandfather, and who had been defeated by my father six years before, took the field against me. The contest became spirited. It was youth against old age, a boy of seventeen against a man of sixty-five. I enjoyed the race with all my soul. The day of the election came and I rejoiced with joy unspeakable when the setting sun brought me a handsome victory. The voting then was *viva voce*, every voter proclaiming his vote, and having it entered on the poll-book for the candidate of his choice. The state of the polls at each precinct was known all through the day, and at sundown I had sufficient information from the various polling places to warrant the conclusion that I had beaten my venerable and respected competitor by a decided majority.

People are fond of novelties, and the novel idea of electing a boy had taken hold of the voters like fire in dry stubble, and they flocked to the polls to vote for me; besides, the fact that "I was the son of my father" stirred his friends, who loved his memory, and they worked like beavers to secure my election and thereby aid his dependent family.

The returns were most gratifying to my friends, and they showered their congratulations upon me. On the day after the election a countryman who had supported me heartily rode into the town, and hailing me on the street, with a jolly laugh exclaimed, "By golly, my boy, you ran faster than a scared rabbit!"

In a few weeks I qualified and entered upon the discharge of my official duties for a term of six years. Things went smoothly with me for two and a half years, then war clouds began to gather. The people of my county were divided into Unionists and Conditional Unionists, with only here and there a secessionist.

As soon as Virginia seceded, feeling that my allegiance to her was paramount to my allegiance to the Union, I entered the Confederate cavalry and served, as I have stated, to the end of the struggle. When all was over I went to work immediately and engaged in business pursuits until I entered the law class of Washington College, at Lexington, Virginia, in the fall of 1868. In June, 1869, I graduated and received my B. L. diploma, signed by the president, the immortal Robert E. Lee—one of the few diplomas, comparatively, he ever signed, for his career as president was cut short by his death on October 10, 1870, after an incumbency of only five years, but an incumbency in which the nobility of the man and the sublimity of his character stood out before the world in bolder relief, if possible, than when he was defending a cause around which clustered the affections of the Southern people, and commanding the Army of Northern Virginia, the grandest army that has ever been, or will ever be martialled until the Archangel of God with trumpet strong shall proclaim the end of time.

Washington College was a venerable institution. It was established in 1776 and its original name was Liberty Hall. In 1796 George Washington made a donation to it of one hundred shares of stock in the James River Canal Company, which had been granted to him by the legislature, and its name was changed to Washington College. The Cincinnati Society gave nearly \$25,000 to it in 1803, and in appreciation of this endowment the "Cincinnati professorship" was founded. Afterwards it was favored by other endowments.

It had an able faculty, and many distinguished men had pointed to it with pride as their "Alma Mater," still its annual matriculations had never been large prior to the time of which I shall now speak. In 1865 the presidency of the institution was tendered to General Lee. He hesitated about accepting the trust, assigning as his reason, in a letter written to the College Committee, that he feared he would be unable to discharge the duties of the position "to the satisfaction of the trustees or to the benefit of the country";

that the education of youth required not only great ability, but he feared more strength than he possessed, as he did not feel able to undergo the labor of conducting classes in regular courses of instruction.

Continuing this letter, he said:

There is another subject which has caused me serious reflection, and is, I think, worthy of the consideration of the Board. Being excluded from the terms of amnesty in the proclamation of the President of the United States of the 29th of May last, and an object of censure to a portion of the country, I have thought it probable that my occupation of the position of president might draw upon the College a feeling of hostility, and I should therefore cause trouble to the institution which it would be my highest desire to advance.

I think it the duty of every citizen, in the present condition of the country, to do all in his power to aid in the restoration of peace and harmony, and in no way to oppose the policy of the State or General Government directed to that object. It is particularly incumbent on those charged with the instruction of the young to set them an example of submission to authority, and I could not consent to be the cause of animadversion upon the College.

Should you, however, take a different view, and think that my services in the position tendered to me by the Board will be advantageous to the College and country, I will yield to your judgment and accept it, otherwise I must most respectfully decline the office.

The Board instantly assured General Lee that no damage to the College would result from his installation as president, and urged his acceptance of the place. He then accepted, and was installed October 2, 1865, and the old College took on, as if by magic, new life and vigor, and boys and young men, and soldiers whose education had been interrupted by the War, flocked to its class-rooms from every State and section of the South, and many came from Northern and Western States, until the numbers ran up to six or seven hundred.

General Lee's influence over the students was marvelous; they all adored him; each of them would almost rather have lost his right arm than to have done an act that would have lost him General Lee's confidence and respect. They all knew him personally, and he knew them and could call each by name whenever they met. His memory of names and faces was remarkable; it is related that on one occasion a

certain name was read from the rolls and he insisted that there was no student by that name; at least he said, "I cannot recall him, and I thought I knew every student in the College. When did he come?" An investigation showed that the student had entered very recently and while he was absent, so that he had never met him.

He changed the mode of discipline which had been in vogue from the date of the College charter. It was the mode that the schools generally had adopted from time perhaps immemorial. It was the system of espionage—of watching and reporting the movements and conduct of the students—a system which tended to lessen self-respect, and to lead to evasion and concealment rather than frankness and ingenuousness. He put every student upon his honor and broke down the barrier that had so long stood between him and the faculty. There was nothing like military discipline, no red-tape rules, and any student could see him and converse with him at any time during office hours, and even in the privacy of his home, with as much freedom as if the relation of father and son existed between them.

The change was most salutary. Every student's sense of honor was acute; his self-respect was retained; his pride in the College was fostered, and rare indeed was there an infraction of the rules or departure from the line of decorous conduct. He was considerate of the waywardness of youth, and was careful never to act hastily, and when compelled to act he did so generally by quietly and gently informing the parent of the course of the son, and when neither warnings nor parental influence could do any good, he would request the withdrawal of the obdurate boy, rather than cast a stigma of expulsion upon him.

He kept himself well informed as to the progress of every student, and examined the weekly reports with care, and retained to a most remarkable degree in his memory the marks and standing of each student.

It is related that a visitor inquired of him on one occasion how a certain student was succeeding in his studies. General Lee replied, "Well, he is an orderly and well-behaved



young man, but there seems to be no danger that he will injure the health of his father's son." He then proceeded from memory to give the marks the young fellow had received the previous month, all very low, and then added, "I do not desire our young men to really injure their health by hard study, but I want them to come mighty near to it."

For several years after peace the young men of the South could not look upon the negroes as their equals under the law, or as possessing the same legal rights as themselves. Many of the negroes about Lexington, as well as everywhere else, were greatly puffed up with the idea of freemanship, and were self-assertive, presuming, and irritating. The students of Washington College could not tolerate the disrespect and impudence which was frequently shown them by these people, and they resented it, and in some instances carried their resentment too far. At one time it was rumored that a body of them were preparing to break up a public, I think a political, meeting of the colored people near Lexington. It was the year I was attending the College. The intention of the students reached General Lee's ears. Immediately he had posted in the most conspicuous place an order stating that the faculty of the College had learned that some of the students intended or had threatened to disturb a meeting of colored people to be held near Lexington. He proceeded to express the disbelief of the faculty in the rumor. He then said: "The President requests all students to abstain from attending this or any other similar meeting, and thinks it only necessary to call their attention to the advantage of attending strictly, as heretofore, to their important duties at the College, and in no way interfering with the business of others."

It is needless to say that there was no disturbance of the meeting. I was told that not a single student was seen at or near it. General Lee's order was enough; instead of disturbing the meeting, I believe the students would have prevented, if necessary, any interference with it.

During General Lee's presidency a religious spirit permeated the institution. A chapel was built under his direc-

tion, as planned by him, and although he was a strict Episcopalian, the pastors of every religious denomination in the town, by his invitation, filled the pulpit—each having a particular Sabbath assigned him. ~~At all of these devotional exercises General Lee was present, and his fervor, daily walk, and never-failing attendance upon the preaching of~~ The Word produced such effect upon the students that many of them embraced "the principles of the Christian faith and the sanctions of the Christian religion."

Never did an institution of learning grow and prosper in five years as did Washington College under the presidency of Robert E. Lee. ~~He was an ideal president, his whole soul was in his work. His executive ability has never been excelled; his influence never equaled; his zeal never surpassed.~~

With positions high and lucrative open to him all over the Southern land; with offers of pecuniary aid coming to him, in his poverty, from every direction; with all lands proclaiming his greatness, sounding his praises, and exalting his virtues; with his image on the walls of every home, humble or stately, from Virginia to Texas; adored by all his people and admired and respected by his and their foes, ~~he accepted the presidency of a Virginia College, able to pay him but a meagre salary, and assumed the task of directing the education of the Southern youth, and instilling into their minds, not only the elements of learning, but the spirit of loyalty to their reunited land and faithful obedience to all its laws, and the spirit too of that religion without which no government can stand safely upon its foundation.~~

Thus he spent the last five years of his eventful and glorious life.

"The Father of his Country  
Stands above that shut-in sea,  
A glorious symbol to the world  
Of all that's great and free;  
And to-day Virginia matches him—  
And matches him with Lee."

There were thirteen graduates in my law class; of them, J. Harvey McCleary, of Texas, has been Attorney-General of his State, and a judge of one of the territorial courts, by appointment of President Cleveland; he is a brilliant man. D. Gardner Tyler, of Virginia, a son of the late President Tyler, has been a member of Congress and State Senator, and is now a Circuit Court Judge in Virginia; a strong and popular man. Hill Carter, of Virginia, is and has been for years a practising attorney in Richmond, and stands among the leaders of the bar of the State. Henry C. Lowery, of Bedford, has been a member of the State Senate several terms and is a successful lawyer; he has, as he merits, the esteem and confidence of his people. John S. Pendleton, of Kentucky, has been a judge of a court in Atlanta, Georgia, and is now a railroad attorney; he is a man of fine ability.

Several of the graduates died not long after their graduation, among them Dunlop, of West Virginia, who located in Kansas City, Missouri, where he was fast forging his way to the front, when by the accidental discharge of a pistol he met his death.

## CHAPTER II

### IN THE LEGISLATURE AND ON THE BENCH.

Beginning the Practise of Law—Rockingham County, Virginia—In the Legislature—Virginia's Debt—The Make-up of the Legislature—Raleigh T. Daniel—I go Upon the Bench—Judicial Duties—A Notable Case—The Effort to Save a Woman From the Gallows—A Brave Wife's Loyalty and Devotion.

In August, 1869, after graduating at law, I located in Harrisonburg, Rockingham County, Virginia, for the practise of my profession, and lived there continuously until December, 1893, when I moved to Richmond.

Rockingham County is perhaps the finest county in the Valley of the Shenandoah. Its people are generally of German descent, and are sturdy, industrious, frugal, and prosperous.

The soil is limestone and the cereals and grasses grow luxuriantly. Superb horses—draught, saddle, and light harness, and magnificent cattle—principally short-horn Durhams—are raised in immense numbers and constitute an important source of revenue to their breeders. The farms are usually large, with fine buildings of every description required for the purposes of agriculture and stock raising.

The religious sect known as German Baptists, or Tunkers, is very strong in the country, and composes a considerable part of the population; its members, nearly all farmers, are most excellent citizens and teach and practice in an eminent degree the precept, "Do unto others as you would have others do unto you." They are non-combatants in their principles, yet it can hardly be said that they always, by any means, practise what they preach in this respect. During the War between the States the Confederate Congress passed an act exempting them from military service upon the payment of five hundred dollars, and almost all under fifty years of age availed themselves of the provisions of the act, yet some of the young Tunkers were in the Confederate Army,

and without an exception, so far as I have ever heard, they were brave and faithful soldiers. The color-bearer of the Tenth Regiment of Virginia Infantry at the desperate and signal battle of Gettysburg was a young man by the name of Shank, a Tunker, and he fell dead with his colors in the van in the thickest of the fray. There are many things commendatory of these staid, orderly, and law-abiding people I might write, but I must desist.

In November, 1871, I was elected by the voters of this splendid county a member of the legislature of Virginia, and served through the sessions of 1871-2 and 1872-3, and the Tunkers were among my most earnest supporters.

This legislature had before it the important question of adjusting and settling Virginia's State debt.

About the year 1838 the State had determined to encourage and foster works of internal improvement, and charters were granted to construct canals, turnpikes, plank roads, and railroads in different sections, and the State was authorized to subscribe for two-fifths of their capital stock. Corporations were organized under the various charters and Virginia became a subscriber to the capital stock to the extent authorized. She was also empowered to borrow money for the purpose of paying for the stock, and to issue her bonds for the borrowed money, both of which she did. She had also been authorized to borrow money and issue her bonds therefor for the erection of eleemosynary institutions and public buildings, and this she had done. In this way she had created quite a large debt, amounting in 1861 to about \$32,000,000. During the war and up to 1870 she had been unable to pay interest upon her bonds, so that the legislature of 1869-70 found the total debt, principal and interest, to amount to about \$46,000,000. In the meantime she had been despoiled of much of her territory by the formation of the State of West Virginia, all against her will and with her voice stifled, by an Act of Congress, sanctioned by a "rump legislature," in which twenty-nine counties only, all western, were represented. The territory which was thus ruthlessly torn from her was prospectively her richest portion, abound-

ing in coal and iron and other minerals and every species of timber. She was terribly weakened in her resources, and yet the bonds were against her, and West Virginia had shown an indisposition to assume any part of the burden of the old mother. Virginia, though poor and her wounds, inflicted by war, still bleeding, determined to keep clean her spotless escutcheon, and to do what was just and equitable between her bondholders and herself. So, animated by this spirit and prompted by the highest motive, her legislature of 1869-70 passed what was known as the "Funding Bill." Under the provisions of this bill the principal of her debt and accumulated interest thereon were thrown together, and Virginia agreed and assumed to pay two-thirds of the aggregate amount of indebtedness, and for this sum she was authorized to issue bonds, in exchange for her old bonds, leaving the other third to be assumed or not by West Virginia, as her sense of right might dictate; Virginia, however, obligating herself to use her best offices in effecting a settlement for the bondholders with the new State. But though honest in their views, and earnestly desiring to promote the State's welfare, the action of the Virginia legislature in passing the "Funding Bill" did not meet with the approval of some of its members, and a decided majority of the people of the State condemned it.

It was contended by the opponents of the bill that the legislature had gone too far and acted too generously when it converted accrued interest into principal; that Virginia had been in the fiery furnace of war and had lost as no tongue could tell or pen describe; that she had lost millions in slave property; her fields had been laid waste; her homes, barns, mills, and factories had been reduced to ashes; her implements of husbandry broken up or destroyed; her banking institutions had been wrecked; that she had been stripped of a vast part of her territory, to whose future development she had looked to immensely increase her taxable values and which had been in a large measure the inducement to contract the debt; that the only money she had with which she could have paid interest for four years was Confederate

currency, and this her creditors would not have received if it could have been tendered to them; that it was not equitable, under all these circumstances, to require the people of the State to pay interest upon interest.

In the legislative election of 1871 the voters were divided upon the line of "Funders" and "Anti-Funders"—supporters and opponents of the "Funding Bill." I was elected to the legislature as an "Anti-Funder" and stood with a large majority of the body upon that issue, which dominated all other issues. There were many strong men in this legislature, some of them intellectual giants, and the body was unusually strong in solid, substantial, thoughtful men.

Richmond has as three of her representatives or delegates the brilliant and mature lawyer and scholar Raleigh T. Daniel, afterwards Attorney-General of the State; the astute and close reasoner James H. Dooley, also a lawyer and now a prominent financier, and J. Thompson Brown, a cool, level-headed business man, and now a most prominent real estate dealer in Richmond.

Manchester sent the direct and incisive William I. Clifton, a lawyer of ability by inheritance as well as study, and now the honored Judge of the Corporation Court of his city. Fauquier County did honor to herself by accrediting James V. Brooke as one of her delegates; a man of great intellect and legal learning. Washington County was ably represented by the conservative and judicious, yet courageous, Arthur C. Cumming. Pittsylvania and the City of Danville sent her brainy man of affairs, William T. Sutherlin. Pulaski County commissioned James A. Walker, the famous commander of the Stonewall Brigade, a lawyer of rugged power. Montgomery sent Gabriel T. Wharton, a distinguished soldier and man of superior judgment. Albemarle had as her delegates James C. Hill, an experienced, sound, and safe legislator, and Jeremiah A. Early, whose head was full of sound sense. Loudoun furnished William Matthews, always alert and constant in the discharge of his duties.

Orange was represented by W. R. Taliaferro, young, but wise above his years; and Culpeper by John R. Strother,

whose judgment was sought on all important matters; and Shenandoah by the erratic but bold and aggressive fighter, H. H. Riddleberger, who in after years, during the political upheaval of Mahoneism, became a United States Senator.

Accomac honored Edmund R. Bagwell, and he wore his honors with dignity and discharged his trust with signal ability. Nelson's delegate was C. T. Smith, who kept up with matters of legislation, was always ready to "shy his castor into the ring," and was never caught napping. Henry's delegate was George W. Booker, a former congressman and a vigilant and esteemed member. Rockbridge had the chivalrous William T. Poague—as a soldier the peer of any, a gentleman of the first water, and a valuable man on the floor, and, also, S. M. Donald, whose Scotch-Irish antecedents made him ever-watchful of the interests of his constituents and of the people at large. Bedford had in Major William F. Graves a representative who filled his position with the same supreme fidelity he had displayed on the field of battle. Greene was represented by Frank M. McMullan—an educated gentleman, a ready speaker, an excellent committeeman, and one of the truest of the true in everything that pertained to the trust reposed in him. Portsmouth City, as with one voice, sent her venerable son, John B. Watts, whose lofty character, superb bearing, discriminating mind, and eloquent tongue drew to him the confidence and admiration of the entire body, and Norfolk sent Marshall Parkes, an unexcelled business man, with an abundance of common sense and practical ideas, and Thomas R. Borland, a young lawyer who gave promise then of the successful career which afterwards attended him. Spottsylvania showed her wisdom in selecting as her delegate the veteran editor and legislator, John H. Kelley.

Amherst County sent her favorite son, Robert A. Coghill—ranking among the most astute and learned lawyers of the State. He was the peer of any member of the House, and when aroused his rapid sledge-hammer blows always made a deep impression.



Augusta County had in Marshall Hanger, not only a representative who had seen long service in the law-making department of the State government, but who was as fine a parliamentarian as I have ever seen. He was elected Speaker of the House, and no better presiding officer could have been selected.

My colleague from Rockingham County was George E. Deneale—"the old man eloquent," as he was called. He was trained in the art of legislation, and thirty years before had served with my father in the House of Delegates.

These were all members of the House of Delegates. There were others, more or less conspicuous, whom I might mention, but I have named enough to show that the Virginia House of Delegates of 1871-2 and 1872-3 was a body worthy of the State.

In the Senate were John E. Roller, from the Rockingham district, a young lawyer of promise, a constant attendant upon the sessions, a strong debater, a faithful guardian of the State's welfare, and who is to-day a leader in his profession and a successful man in the affairs of life; Alexander B. Cochran, from the Augusta district, who was one of the brainiest men in the Commonwealth and a speaker of great power, but his usefulness to his State was cut off at an early age by his death; Abner Anderson, from the Danville district, a safe and sound man, whose influence was felt in all matters of important legislation; A. L. Pridemore, from the Lee district, a man of splendid natural ability, a great rough-and-tumble fighter, and a most valuable member of the body; A. Q. Holliday and John K. Connolly, from the Richmond district; the former quiet in manner, a cogent reasoner, always alert and at his post; the latter, eloquent of tongue, impulsive and warm-hearted, sometimes in the heat of debate allowing his enthusiasm to carry him to the point of using language that would sting an opponent, but instantly in the most delightful manner withdrawing the word or words that had caused the smart.

At this time Gilbert C. Walker, a New Yorker, who had settled at Norfolk after the war, was Governor. In 1869

he had been named by the Democrats, who called themselves conservatives, as an expediency candidate against Henry H. Wells, who was termed "the carpetbag governor," and was elected by a vote of 119,535 to 101,204, and inaugurated September 21.

He was an exceedingly handsome man and a Chesterfieldian in his manners. He was true to the people who had elected him and was loyal to what he believed to be the best interests of the State. He had favored the passage of the "Funding Bill" when it was pending in the preceding legislature, and he adhered to his position, and opposed its repeal, and the "Anti-Funders" found him arrayed against them.

In a very short time after the organization of the legislature the battle over the debt settlement opened, and it was warm and animated from start to finish.

Raleigh T. Daniel, "walking around and about the ramparts of the Constitution," as he expressed it, was vigorous in the support of the sacredness of contract obligations and in the maintenance of the "Funding Bill" as a settlement just to the State and equitable to her creditors. He was among the most ornate and accomplished speakers Virginia has ever produced.

His clean-cut English and well-rounded sentences flowed from his lips in a constant stream, ready for the printer without a change or alteration. There was no sacrifice of strength to beauty of expression, as might be imagined; there was "no covering up of the fruit with the foliage." His arguments were powerful, couched in the choicest and most chaste language; no word was ever uttered that was not fit for a drawing-room, much less the halls of legislation. But as able, brilliant, and cultured as he was, his influence was weakened by his intolerance, in fact contempt, for the opinions of his colleagues who differed from him. He was disposed to regard himself as infallible in his views, and his efforts had the effect of intensifying rather than mollifying his opponents. When the fight in the House was at its height, Mr. Daniel, Mr. Brooke, and three other gen-

tleman, I think, organized themselves into a committee to draft a bill which they hoped would present a middle ground upon which the members could stand. Mr. Brooke was selected to draw a bill and submit it to the full committee; he went to work at once and labored earnestly for several days; then he notified the other members that he was ready to submit his bill; they all gathered in a room of the Exchange Hotel, and Mr. Brooke commenced to read his bill. There was a very long preamble and many whereases, asserting, as its author thought, fundamental principles and self-evident propositions of Constitutional law.

Before he had read many sentences Mr. Daniel became restive, and it was apparent that he was taking issue with Mr. Brooke in his mind. When about half of the preamble had been read he sprang from his seat and exclaimed: "Stop, Brooke, stop! For God's sake stop, for the sake of the memories of the fathers stop! You have already whereased away nearly every principle of the constitution, and if you go much farther there will not be one left. Stop and let us save some. Yes, some."

Mr. Brooke, who was a fine constitutional lawyer, was very much surprised by this outburst of Mr. Daniel, but he was a most amiable man, and took what was really a rebuke and reflection, good naturedly. The labors of the committee were continued for a time, but they were fruitless.

Mr. Daniel had a habit of talking to himself, or as somebody expressed it, of "thinking aloud." Walking leisurely, absorbed in thought, up Broad Street one summer evening, he was talking to himself when a friend joined him and said, "Mr. Daniel, I heard you just now, and have heard you frequently, talking to yourself; pardon me, why do you do it?" He replied instantly, "Simply because I want to have the pleasure occasionally of talking to a sensible man." He was in many respects a unique man, and was admired generally for his learning and culture, and universally respected for his keen sense of honor and spotless character.

Nothing of a practical nature was done by the legislature of 1871-2 and 1872-3 in the way of adjusting the State debt,

but after various futile sessions a settlement of Virginia's part was effected, and the debt upon which she pays interest was \$26,843,067.87, as of October 1, 1903.

On the first day of January, 1874, I went upon the bench of the County Court of Rockingham County—a court of probate, with jurisdiction of all county matters, cases of unlawful entry and detainer, and the assessment of damages under the right of eminent domain, and original criminal jurisdiction of all cases, except where the penalty was death, in which the accused had the right to elect to be tried in the Circuit Court, but which right was never exercised during my incumbency of six years.

The county being large and populous, my judicial duties were onerous. The terms of the court were monthly and generally lasted two weeks, so that one half of every year was spent by me on the bench. During my six years there were many important and exciting criminal trials—the most trying and anxious ordeals through which a judge can pass.

All classes of criminal cases, from petit larceny to highway robbery, burglary, and homicide were before me, and to act well the part of holding the scales with an even and steady hand was necessarily a source of constant anxiety and perplexity. To prevent bias or prejudice from entering into the mind and heart either for or against the accused kept me communing daily and hourly with my conscience. Being compelled like all *nisi prius* judges to make quick and rapid rulings from the bench, without opportunity in case of doubt to consult authorities, many times made me desire to cast aside the judicial ermine, and yet I retained my position for my full term, through some peculiar fascination of the place.

During my judicial service there were numerous episodes, some of which I think will bear relating.

On a road at the western base of the Blue Ridge range a most atrocious murder was committed. A farmer returning home one evening with his wagon was shot from the wayside and fell dead under his horses. In a little while a passing neighbor found him, and spreading the news others

gathered and the dead man was carried to his home. Suspicion pointed to three persons—the widow, her brother, and another man of bad reputation—as implicated in the murder. They were arrested, but there was no evidence against them, and they were discharged; but the suspicion would not down, and two years after the commission of the crime they were again arrested. At their first hearing they had simply denied any participation in the killing or knowledge as to the murderer.

At their second hearing the man with the bad reputation was not so discreet, and he insisted upon talking, and the more he talked the stronger became the suspicion, and when the hearing was over he had done much to lead himself to the gallows, and he and the widow and brother-in-law were committed to jail to await the action of the grand jury. Detectives were employed and the whole community in which the murderous deed was done was active in following up clues and searching for testimony. Finally the grand jury met and indictments were found against all of them—against the man with the bad reputation, whose name was Anderson Shifflet, as principal, and against the brother-in-law, whose name was Silas Morris, and Louisa Lawson, the widow, as accessories before the fact. In the summer of 1877 they were tried, and in each case the jury with solemn faces returned a verdict, "Guilty as charged in the indictment." This meant death to all, for under the Virginia statutes murder by lying in wait, or by poison, or any other wilful and deliberate murder is punishable by death, and an accessory before the fact suffers the same penalty as the principal.

Shifflet, the principal, was a low, debased creature, with the superstition of a cotton-field negro in the days of slavery, and believed in omens and apparitions and signs. He had been raised amid environments that made him pale and crouch upon the appearance of an ill omen—he could not help it any more than a horse can help trembling at the sight of a camel. During his trial a bird flew into the court hall through an open window and seated itself on a wire stretched across the hall, directly over him. He saw

it, and instantly he turned ghastly pale, his head dropped, and he sank down in his chair perfectly limp. It was one of his ill omens; it meant death to him. He was the most dejected, crushed, and pitiable looking human being I ever saw. In his mind his doom was sealed. Before the bird came he had been bright and seemed to think that he would at least escape the gallows; after it winged its way into the tribunal of justice and lighted just above his head, all animation disappeared, his eye became dull and lifeless, and he gave himself up to the fate which he was sure awaited him. He was convicted as I have said, and was executed; but I am sure none of my readers will think that this little creation in God's inscrutable plan could direct the current of justice or give token of either good or evil to a human being. It has been well said, "Skepticism makes a man mad, and superstition renders a man a fool."

The trials of these cases stand among the celebrated criminal trials of Virginia. As they progressed the developments of the plot to murder Lawson were like turning over the leaves of a terrible novel, in which marital infidelity was being portrayed in its hideous colors, and plans by a woman to rid herself of him to whom she had plighted her faith, pictured in blackest hue. The evidence against Morris and the widow—brother and sister—showed, as found by the jury in each case, that the affections of the wife of Lawson had been alienated from her husband by a young workman on Lawson's farm, and that through the assistance of Morris, her brother, Shifflett had been hired for a paltry sum to murder Lawson, and that the plot had been deeply laid and carried out with the adroitness and cunning of men trained in the art of mysterious murder.

The evidence in the case of Shifflett was absolutely conclusive of his guilt as the principal. As to the justice of his conviction I never entertained the slightest doubt, and in no way did it connect either Morris or the widow with the bloody deed; but the evidence on their trials was entirely in-

dependent of that in the case of the principal, and with their convictions I was not well satisfied.

The star witness was the young workman to whom I have alluded, the admitted guilty lover of Lawson's wife, and who, tiring of her after Lawson's death, discarded her and came forward as a willing witness to testify to admissions by her of guilt, and also of statements and circumstances pointing directly to Morris as an accessory before the fact. He was an untutored mountain fellow, but "as sharp as a steel trap," and as hard to trip as a Texas broncho. He stood the fire of the cross-examination, conducted by able counsel, without a slip or a break, and sustained his reputation for truth by many of his neighbors. The juries believed him and convictions followed.

Motions were made in arrest of judgment and to set aside the verdicts, and were overruled, as it was the province of the jury to consider and weigh the evidence, and they had believed this star witness, and the judge under the law could not set the verdict aside, even if he would have rendered a different verdict if he had been a member of the jury.

In a few days sentences of death were pronounced, and hand in hand brother and sister, in charge of the jailer, were taken back to prison to await the awful day of execution, with only one ray of hope—executive clemency. The sentence of a woman to the gallows had few precedents in the history of criminal jurisprudence in Virginia. Many may have deserved it, but, with the rarest exceptions, Virginia juries had never got to the point of consigning a woman to death by the halter.

So this conviction and sentence created wide-spread interest, and aroused the Governor, the chivalrous James L. Kemper, and he wrote me to give him the facts in the case, which I did. A little while before the day of execution came he respited both convicts. Before that respite expired he wrote me, as near as I can recall his words, as follows: "Can't something be done to save the neck of Mrs. Lawson. She is a woman. I do not want her hung if there is any reasonable ground to prevent it." I replied: "You have all

the facts. I feel as you do and would gladly recommend clemency, if I could do so consistently with my judicial oath. If the evidence was true (and the jury has so held), she is guilty of deliberate, premeditated murder of her husband, and under the law the penalty is death. You have all power, and if you extend clemency I shall never criticise you; but if clemency is extended in the case of the woman, it should be in the case of the man, for the evidence was stronger against her than against him."

A second respite came from the Governor; then soon a letter to me to the effect that the thought of hanging a woman had so wrought upon his feelings as to disturb his slumbers, and in his dreams he could see her dangling in the air, and in her death struggles. I replied substantially as I had previously written him.

In a few days two young men from the neighborhood of the place of murder—strangers to me—came to my office and said to me: "Judge, we want to talk with you about the Lawson murder cases. We want to tell you what we know. We don't know whether it will amount to anything or not."

I told them to proceed. They then related to me conversations they had had with the star witness, the guilty lover of Lawson's wife—startling in their nature and directly contradictory to his testimony on the witness-stand on material points. I sent for the Commonwealth's Attorney, and in his presence they repeated what they had told me. He and I conferred and we both agreed that their statements were very important, and if they had been made in court and before the jury they would have tended to break down the testimony of the star witness and to have induced a different verdict. But who were these young men and what were their characters for truth and veracity? These were questions for inquiry, and the inquiry was undertaken by the Commonwealth's Attorney. Soon he reported that they were of good character and fair repute, and I at once wrote to the Governor recommending executive clemency in both cases—the brother-in-law and widow.



The Governor acted instantly and commuted the sentences to imprisonment for life in the penitentiary, and sent the commutations to the Harrisonburg jail by a member of his staff, a gentleman who had taken great interest in the cases—Captain Charles L. Todd, a prominent and esteemed citizen of Richmond at this time. Thus by the desire of Governor Kemper to avoid, if possible, the hanging of a woman, and his several respites, the lives of these two human beings were saved from death on the scaffold. Time blazed the way, and it has always looked to me as though the hand of God was in their deliverance; that He had induced the two strange young men to come forward and tell their story, they not knowing whether or not it would have any effect upon the question of life or death.

Morris and the widow of the murdered man were conveyed to the penitentiary to serve life sentences, as they had every reason to believe. So far as they could see, nothing else was before them; yet no doubt they hoped some day to breathe again the air of freedom, hear the birds sing, see the flowers blooming, the woodlands in their verdant foliage and the fields bearing their crops, for "hope is the last thing that dies in man."

All these people were mountain people—born and reared at the base or in the gorges and passes of the Blue Ridge, whose beautiful range divides Virginia's Piedmont and Valley sections. The wife of Morris had lived all her life amid the environments of her humble mountain home, uncultured and untutored, but she displayed a fealty to her husband and a nobility of character rarely found even in the most cultured walks of life. She went with her husband to the very gates of the prison, there bade him good-by and heard the heavy hinges creak and the huge bolts shoot into their sockets as the gates closed. Then out into the strange city she went, seeking the home of Captain Todd, who had been the Governor's messenger to convey the tidings of executive clemency. Into this warm and hospitable home she was received, and in it she lived for about eight years, visiting her husband in prison, carrying him food from the table of her

benefactor, whispering words of hope and cheer into his ear as often as the prison rules would permit. With unfaltering belief in her husband's innocence she undertook to secure a pardon. She made visit after visit to Rockingham to secure signers to a petition. At first she met with little encouragement, but she persisted.

After three or four visits she secured many signatures, among them several of the jurors. In the meantime the feeling was growing that probably the verdict was wrong, and on her next visit the petition was numerously signed, and on her last visit she obtained the name of the last juror and a large number of the county officials and prominent citizens of the county. Returning to Richmond, with her benefactor, Captain Todd, she went to the Executive Office, laid her petition before the Governor, and made her appeal for the pardon of her husband. The Governor took the matter under advisement, with the result that he not only pardoned her husband, but the widow of the murdered man as well.

So after eight years of prison life, eight years of patient and persistent work, eight years of prayer, weeping and heart-aches, eight years of a wife's loyalty and devotion to a man, felon-clad and from whom the law would have divorced her any day, this untutored but noble woman received the fruition of her labors, and with her pardoned husband returned to the very neighborhood where they had formerly lived and started life anew.

Several years ago I learned they had prospered and were doing well. Morris had conducted himself properly, and was an orderly, law-abiding citizen, and his wife, as she richly deserved, had the respect of everybody.

In concluding my account of these celebrated trials, convictions and sentences, followed by respites, commutations and pardons in the last two, I must refer to a most pathetic scene at the sentencing to death of Mrs. Lawson. During her trial her little son, eight or ten years of age, was constantly by her side. When I came to pronounce the sentence of the law, the most painful duty of my official life, nothing I said seemed to touch her until I made an incidental

allusion to her little son; instantly she threw her arms around him and wept as though her heart would break. It was a most striking exhibition of a mother's love. She had been apparently almost callous—she had nerved herself for the terrible ordeal, but her strength and will power gave way at the mention of the child she had borne and nurtured. The court hall was crowded with strong men, the eyes of many of them strangers to tears, but there was not one strong enough to choke back his emotions or keep tears from flowing; there was not a dry eye in the hall.


This lad, after the removal of his mother to the penitentiary, was adopted by the sheriff of the county, David H. Rallston, a man whose heart was as kind as ever beat in a human breast, and well indeed did he do his full part by the unfortunate lad. He sent him first to the common school and then to the graded school. The boy was a good student, progressed rapidly, stood high in his classes and carried off many honors. When he attained his majority he went to some Western State, and some years ago I heard he was succeeding well.

How true are the oft-quoted lines:

"Honor and shame from no condition rise;  
Act well your part, there all the honor lies."

The Commonwealth's Attorney who prosecuted in these cases was John Paul, who afterwards served a term in Congress and was then appointed United States District Judge for the Western District of Virginia. He was one of the ablest prosecuting attorneys I have ever known; his congressional service was creditable, and his career as Judge from 1883 to 1902, when he died, was marked with ability and with an honesty and uprightness of purpose that drew plaudits from the bar of his district, and stamped him as a just, impartial, and incorruptible judge.

The leading attorney for the defense was John E. Roller, and well did he act his part and do his duty. Astute, cautious, and watchful, never tiring, never lacking in quickness to object to what he conceived to be an improper question



and then maintaining his position with great force; searching and severe in the cross-examination of opposing witnesses and drawing most skilfully from the witnesses for the defense every point favorable to his clients. Between the two—Paul and Roller—it was indeed a battle royal and a fight to the finish. They were both young men, neither forty—the latter, who was the junior, not more than thirty-five.

There were, as I have said, other interesting and important criminal trials during my judicial term, but space will not suffice to recount any of them, so I must leave the incidents connected with them where they are, stored away in my memory.

My six-years term as judge expired on the first day of January, 1880, and though I am proud to say no objections were raised by even political foes to the manner in which I had discharged my judicial duties, the edict went forth from a dominant faction of my own political party with which I was not aligned that my judicial head must be cut off, and when the legislature met, off it went, and in my stead a distinguished and highly-esteemed member of the county bar who belonged to the stronger faction, Colonel Robert Johnston, was elected as my successor.

## CHAPTER III

### STATE POLITICS FROM 1877 TO 1882.

A Memorable Political Convention—A Fight for the Gubernatorial Nomination—Mahoneites *versus* Danielites—Mahone's Political Ambition—Formation of the "Readjuster" Party—Mahone's Purpose—The State Convention of 1881—Daniel *versus* Cameron—I Make the Race for Congress—A Hot Campaign—Defeated at the Polls, but Win on a Contest—Anecdotes of the Campaign.

In 1877 a Democratic State Convention was convened in Richmond to nominate candidates for Governor and other State officers.

It was perhaps the most memorable political convention ever held in the State. The excitement was intense and feeling ran high. There were six candidates for the first place on the ticket, all distinguished Confederate veterans—General William Mahone, styled "the hero of the Crater," meaning the Petersburg Crater, that maelstrom of death; General Fitzhugh Lee, whose gleaming blade had made him famous; General William B. Taliaferro, a hero of the Mexican War as well as a Confederate veteran, whose record was as bright as the morning star; Colonel William Terry, among the bravest of the brave of the South's defenders; Colonel Frederick W. M. Holliday, whose empty sleeve told the story of his devotion to the cause all Virginians loved, and Major John W. Daniel, whose crutch and lame leg bore witness to his loyalty to his State and section in the mighty struggle that had bathed his Southland in the commingled blood of the gray and the blue.

The first ballot developed the strength of the various candidates in the following order; Mahone, Daniel, Holliday, Lee, Taliaferro and Terry. The balloting progressed until Terry, Taliaferro, and Lee had been dropped, leaving Mahone, Daniel, and Holliday holding the same relative positions as when the voting commenced. General John Echols had been selected as floor manager of Holliday's forces, and

I had been named as his assistant or lieutenant, and as soon as the result of the third ballot was announced the General asked permission for the followers of Holliday to retire for a conference. Permission was granted, and we retired to Sanger Hall. There Holliday's strength was largely augmented by many of the followers of Lee, Taliaferro, and Terry. Each had despaired of nominating his candidate, and they had come to join hands with us for Holliday.

It had been known from the time the delegates began to gather that there was a bitter feud between the Mahoneites and Danielites, and that they would never clasp hands across the wide abyss that separated them. The meeting of the Hollidayites was organized and General Echols addressed it. He said substantially that it was apparent to all that the battle-cry of Mahone was "slaughter Daniel," and the battle-cry of Daniel was "slaughter Mahone," and that as soon as either was convinced that he could not be nominated he would carry his strength to Holliday as far as possible as the next strongest candidate, which would of course insure Holliday's success. He then said: "Under the rules of the convention each of the dropped candidates can be put in nomination a second time. Will their friends do this, and give Mahone and Daniel time to convince themselves that they cannot win the prize?" Instantly the response came from the friends of all, "Yes, we will do it."

Our meeting adjourned and we returned to the convention hall. Lee, Taliaferro, and Terry were again put in nomination, and one after another dropped the second time, shutting them out of the contest, and leaving only Mahone, Daniel, and Holliday still in the field.

General Echols's words had been prophetic. While the clerks were getting ready to take the next ballot the word came to the General and myself from Mahone's headquarters that he would be withdrawn and his strength transferred to Holliday, but we were admonished to keep quiet, "say nothing." We heeded the admonition and remained as silent as dumb men, and waited with almost breathless anxiety the coming event.


Directly Captain John S. Wise, a staunch supporter of General Mahone, stepped to the front of the platform, and with that dash and vivacity which with his flow of language and grace of manner has always made him a most attractive speaker, after paying a beautiful tribute to General Mahone, withdrew him, concluding his brief speech as near as I can remember in these words:

At Appomattox the division of Mahone stacked more muskets than any other division of Lee's army, and General Mahone has now the proud distinction of having more followers on this floor than any other candidate who has aspired to the honor of the nomination for Governor of this glorious old State.

I am commissioned by the hero of the Crater to appeal to every friend of his within these convention walls to remember his watchword, "Follow Accomac," and cast his vote for the one-armed hero of the Shenandoah Valley, Colonel F. W. M. Holliday.

For many minutes pandemonium reigned; cheers and shouts from Mahoneites and Hollidayites shook the building. The scene could hardly be described. Mahone had discovered that he had little gathering strength, and if Holliday was dropped Daniel would be nominated, and he determined that if he had to bite the dust he would carry Daniel down with him.

The Danielites were taken by surprise; their hopes had been high; they had reckoned that with Holliday out of the contest they would receive much the larger percentage of his following, and with them they would land their favorite as the winner in handsome style, and the withdrawal of Mahone was as startling and demoralizing to them as would have been the bursting of a bomb in their camp. However, they quickly recovered from the shock and attempted to arrest the tidal wave, but their efforts were all in vain. The calling of the roll commenced. Accomac, the first county on the roll, was called; the chairman of her delegation, Senator Abel T. Johnson, the tallest man in the convention, responded in a deep, sonorous voice: "Accomac casts her thirty-two votes for the one-armed hero of the Shenandoah Valley, Colonel F. W. M. Holliday"; and then one after another of the Mahone delegations, through the



list, remembered its watch-word, "Follow Accomac," and cast its votes as Accomac had voted, resulting in the nomination of Holliday by a decisive majority.

Mahone had himself failed to win the high prize, but he had done the thing next to his heart—he had defeated Daniel. Holliday was elected Governor, and during his term the State debt continued to be a bone of contention, and the legislative halls rang with the voices of the contending factions.

Mahone's great political ambition had been to wear gubernatorial honors; he had been a most zealous and effective worker in the Democratic party; he had been potential in the councils of his party; his war record was bright, and his defeat in the Convention of 1877 had made him sore toward his party and vindictive toward its most prominent leaders, and he began to organize what he termed the "Readjuster Party"—a party to readjust the State debt upon certain lines which he indicated. He was a superior organizer and leader of men; he had great personal magnetism and will-power. He was of very small stature, but he was a bundle of nerves and a prodigy in energy.

He publicly invited all classes, regardless of their past party affiliations,—whether Democratic or Republican, white or colored,—to join him, promising free schools for the blacks and a full enforcement of all civil-rights laws. He looked around for young men who had ability and political ambition, and impressed many of them with his views on the debt question, and imbued them with his spirit of revolt and with his idea that the time was ripe for the dethronement of Bourbon rule, as he termed it, and the relegation to the rear of "old fossils," as he styled the leaders of the Democratic party, and the birth of a new and progressive party, with young men at the helm. He made rapid progress—so rapid that a "Readjuster" legislature, after a desperate fight, was elected in 1879, and this legislature filled the county judgeships, and the positions of State auditors and treasurer with men of their own political faith, and elected Mahone to a seat in the Senate of the United States;



in this movement I lost the judgeship which I had held for six years, because "I could not speak the language of the tribe."

In the Presidential election of 1880 the Readjusters nominated an electoral ticket which they denominated a Hancock ticket; besides there were straight Democratic and Republican tickets. The nomination of the Readjuster electoral ticket "was pursuant to an understanding and at the time thought advisable by Mahone, who, if his electors won, could go for Hancock or not, as circumstances might suggest; while if he failed the Republicans might profit by the separation."

This was charged by the Democrats to be the purpose of Mahone in putting his ticket in the field, and I make the statement now upon the authority of Hon. Thomas V. Cooper, chairman of the Republican State Committee of Pennsylvania, in his admirable book entitled "American Politics," 1882, an entirely non-partisan work.

The Readjusters elected two members of Congress, but their electoral ticket failed of election, and the regular Democratic ticket was elected by a safe plurality. In this Presidential campaign I was a State canvasser, and was confronted on the hustings by both Readjuster and Republican speakers, and the joint discussions were always spirited and peppery.

In 1881 another election for Governor took place. The Democratic State Convention to nominate a State ticket met as usual in Richmond. It was a tame affair as compared with the Convention of 1877. It can hardly be said that there were any seekers for the nomination for the first place. The result of the election was exceedingly doubtful in the opinion of the most optimistic Democrat.

The delegates were at sea as to a candidate; many prominent men were willing to run, from a sense of party duty if nominated, but not one of them was hankering after or longing for the honor at that particular time; each was willing to take the chances of martyrdom if the lot fell to him, but he was not putting himself where lightning could easily strike

him, or doing anything to call attention to himself as an available candidate. For many hours the convention had been in session and ten o'clock at night was near; various names had been suggested and placed before the body, but they were received listlessly, and no gentleman whose name had been presented had received more than a respectable vote, when suddenly Ned Dandridge, of Winchester, sprang upon the platform, and in a speech never excelled on such an occasion, he inspired the convention with hope of success in the coming election, pictured the record of the Democratic party, and recounted its achievements in soul-stirring words. He then said that he had the name of a gentleman to present to the convention.

He proceeded to describe the man, and pay him a tribute, and before he could name his man, so well had been his description of him that the hall rang with cheers for John W. Daniel. In a few minutes all other names were withdrawn and Daniel was nominated by acclamation. The party had finally selected its candidate. Dandridge's speech had lifted the delegates out of the slough of despondency, inspired them with hope, and named a man in whom they were willing to confide the fate of their party. I have never heard or read of a speech, not excepting "Crown of Thorns," that had a more magic effect upon a body of men than the speech of Dandridge; and it was superior to "Crown of Thorns," for it was impromptu, while Crown of Thorns was a production of long study.

Against Daniel, Republicans and former Democrats, who had become Readjusters, or Mahoneites, as they were styled, pitted the talented and gifted William E. Cameron, of Petersburg, and by arrangement the candidates met on various occasions in joint debate on the hustings before immense gatherings. Daniel was eloquent and thrilling, persuasive in style and captivating in manner, and being lame from a desperate wound, he made telling appeals to Confederate soldiers not to ally themselves with Republicans in an effort to defeat him.

Cameron had not had the training and experience of his opponent as a public speaker; he had been the editor of a city newspaper and had made great reputation in that line; but he soon proved that he was as strong with his tongue as he had been with his pen; he was eloquent, not as eloquent however as his competitor, but he was Daniel's match in debate, and more incisive. His soldier-record was as good as the best, and in this respect the two candidates were equal.

The canvass was long, covering the entire State, and was warm and exciting from first to last. There were scores of speakers on the stump; joint discussions were the rule, and they attracted large crowds, and frequently after the war of words extremists would undertake to settle the issue by fist and skull combats. For three months I was almost daily engaged in joint debate—sometimes winning victories, other times feeling that I could do no more than claim a drawn battle, giving myself the benefit of any doubt.

The election resulted in Daniel's defeat. Cameron's majority out of a vote of 211,230 was 11,716.

As I have stated, the Readjusters elected two members of Congress in 1880—Paul and Fulkerson. The former was from my Congressional district—the Shenandoah Valley district, and with a colored Republican candidate who drew from Paul seven or eight hundred votes in the field, he defeated Judge Henry C. Allen, the Democratic candidate, who was an able and popular man, by a majority of 1,800 votes.

When the time for the Congressional election of 1882 was approaching it was announced that Paul would be renominated by acclamation, and the Democrats began to look around for a candidate to oppose him. They remembered their defeat two years before; they recognized in Paul a very formidable man, possessing all the elements of personal popularity, strong and magnetic as a speaker, with a splendid record as a soldier, and untiring energy. This district was full of Democrats who had congressional aspirations and I was among them, but there were no earnest seekers for the nomination. All regarded the defeat of the Readjuster can-


didate as the raw Irishman regarded his fight with a trained shoulder-hitter, "a tough proposition."

The delegations were sent to the convention, which was held in Staunton, without instructions. They met on a Wednesday in August, and after deliberating some time I was nominated. The canvass opened the next Monday with a joint discussion between my able competitor and myself at Staunton. He and I were personal friends and lived in the same town; we had practised at the bar together for years, and had spoken together on many a Democratic platform before the birth of Readjusterism; while I was a judge, he was the prosecuting attorney. We knew each other "from end to end," as the saying goes. I regarded him as a stumper worthy of the steel of the best in the Commonwealth. I knew that before me was a desperate fight, and that if I hoped to win I must tax my energies of mind and body to the utmost, and make no mistake. There were ten counties and numerous towns in the district, and it extended from the spurs of the Alleghanies to almost the gates of Richmond; it covered a territory two hundred miles long and one hundred miles wide. The canvass started warm, and it became warmer and warmer as it progressed, and at its close the feeling in both parties was at white heat.

My competitor and I smote each other hip and thigh and struck hard and fast, and each was on his mettle, but nothing was said or done by either of which the other could justly complain. Besides the hearty support we had from our respective parties, the host of enthusiastic personal followers each of us had, gave increased intensity to the feeling. Taking it all and all, it is regarded as the hardest and most exciting contest that has ever occurred in the State. My hope of election was slight at first, but after a little it began to grow, and when I returned home the evening before the election I was confident that with the setting of the next day's sun victory would perch upon my banner. But oft

"Hope tells a flattering tale,  
Delusive, vain and hollow."

and so it was in my case.



The returns showed 12,146 votes for my competitor and 11,941 votes for me—a majority of 205 votes against me. Before the result was known my friends all over the district were wiring me charges of fraud by the election and other officials, who were Readjusters.

At that time the payment of the capitation tax by a voter before the day of election was a prerequisite to voting. There were many delinquent voters, mostly among the colored, who were all against me, and hundreds of these people were given receipts for their taxes on the day of election, dated prior thereto, by unscrupulous tax collectors, without the payment of any money; these voters would exhibit their receipts at the polls, cast their ballots against me, and then return the receipts to the collectors.

I notified my competitor that I would contest his seat upon the ground of fraud, and went to work to secure the necessary proof. In due time the notice of contest was served and depositions taken. The contest was heard by the House of Representatives and the seat was awarded to me. I desire to say here with emphasis that I am sure that my competitor was not privy, directly or indirectly, to the frauds. It was a scheme hatched and put into operation without his knowledge.

During the canvass of which I have just been writing amusing incidents frequently occurred. At one appointment I was speaking with much earnestness and the day was hot, when a fellow pretty full of "mountain dew," standing near, looking up in my face, with his mouth spread from ear to ear, blurted out: "That's right, Colonel, put 'em in fast. You are hot and still a heating, I am drunk and still a drinking."

At another place Captain Paul was referring to the fact that he was raised in the country and had worked on his father's farm. "In fact," said he, "I was about raised between two corn rows." Some fellow in the crowd hollered, "By golly, that's where pumpkins are usually raised!"

It sounded like a reflection upon Captain Paul, but I have no idea that it was so intended, for Paul was one of the last

men I have ever known to whom such a remark would apply. There was nothing soft in him; he was as solid and firm as granite.

At still another appointment, where I was engaged in a discussion with a gentleman who had taken my competitor's place for the day, giving me an easier task than had been my lot, this gentleman was parading himself as a peculiar friend of the public schools. He expressed a desire to be buried when he died where the poor little bare-footed mountain school-girl could pass his grave on her way to school and drop upon his breast a mountain daisy as a token of her gratitude.

A wag in the audience rose and said: "Mister, I'se from the mountain, and we hain't got no such flower as you say you want drapped on your breast. We have a flower we call a bull-eye. Won't that do? You must talk plain talk to us mountain-folks, and leave off your frills. We don't think you has ever been among us mountain-folks, or you'd know better how to 'dress us. That's all. Now go ahead."

This speaker had already disappointed the Readjusters and he seemed to feel it, and this mountaineer's interruption had so frustrated him that he floundered about for a few minutes, and then complaining of not being well, sat down before his time expired. I had the right to close the discussion, but waived it upon the ground that I had never treated a wounded foe unkindly during the war, and I would not now strike a sick and disabled foe. Just then the mountaineer arose again and said: "Mister, I'se sorry I made you sick. You must fergive me; I didn't mean to do it. How is you troubled. Maybe I'se got somethin' that'll help you. Will you try a bit." While the mountaineer was talking I left the stand, and when he concluded the crowd gradually scattered and the meeting was over.


In justice to the "sick" speaker I should say that I discovered before the discussion commenced that he was very nervous, and while I did not expect to see him break down, I felt that "he was my meat," using an old stump phrase. He

was not, for some reason, at his best, for I had heard him make several very creditable efforts.

At this time Virginia was entitled to nine district representatives and one representative at large. The Democrats were successful in six districts, and the Readjusters in three, and besides they secured the representative from the State at large. Two of the Readjuster representatives were pronounced Republicans in National politics.

The representative at large was John S. Wise, who had made the speech to which I have referred, withdrawing General Mahone as a candidate for the Democratic nomination for Governor in the memorable Convention of 1877. He had followed, with unflagging zeal and devotion, General Mahone into the Readjuster party, and was among the General's most cherished and valued lieutenants. His father, Henry A. Wise, by his burning eloquence and biting satire, had destroyed Know Nothingism in his famous campaign for Governor in 1855.

As a small boy I heard him make a speech in that canvass at my home, where a majority of his audience were Know Nothings, and never in my life have I heard from any man such invective as rolled in an unceasing flood from his tongue, and never have I heard from any speaker such soaring eloquence. Many years have passed, and the men of mature years who heard him have all crossed over the river, and perhaps most of the lads of my age who listened with boyish ears to that great champion of Democracy and denouncer of "midnight conclaves, secret plots, grips, signs and passwords, in a free and enlightened land," have gone the way of all flesh, yet the speaker, speech, and scene are as vivid in my memory as though but a fortnight had rolled its short course since. He was elected and toward the close of his term occurred the John Brown raid at Harpers Ferry. He was a most impulsive man, earnest and unyielding in his convictions. He was opposed to the secession movement, and thought the South should fight for her rights in the Union and under the flag of the Union; that Virginia and other original Southern States had done as much, if not



more, than the original Northern States, in blood and money, to secure and establish the Federal Union, and they should not yield their part and parcel in it to States that were violating, as he contended, the compact and trampling upon guaranteed rights. There were many prominent Virginians who agreed with him, but when the State passed her ordinance of secession he promptly tendered his services to Virginia and was appointed a brigadier-general in the Confederate Army, and was in command at Roanoke Island, North Carolina, when the island was attacked and captured, and his brilliant son, Captain O. Jennings Wise, killed.

John S. Wise inherited in a marked degree the talent and characteristics of his father, and in his canvass for Virginia's representative at large in Congress, in 1882, he aroused the Readjusters to the highest pitch of enthusiasm, and they drank in his eloquence and with remarkable avidity hung upon his words as they flowed with lightning speed. He was a dangerous man to meet in debate on the hustings, and to cope with him was no easy task.



## CHAPTER IV


### THE RISE AND FALL OF MAHONE.

About "Affairs of Honor"—John S. Wise's Courageous Declaration on the Subject—The State Wrested from the Readjusters—Mahone Throws off his Cloak—A Majority of One and who Cast the Deciding Vote—Fitz Lee Nominated—An Account of a Joint Debate—Mahone's Fall.

Prior to this canvass of 1882, and while Readjusterism was cutting a heavy swath, there were numerous "affairs of honor," and several duels had been fought and others barely averted. There had been from time immemorial, in Virginia, a disposition upon the part of a gentleman who felt aggrieved by some act or word of another to demand satisfaction at ten paces with pistols. "Pistols and coffee for two" was the saying in the days of dueling. In the life of Virginia there had been many "meetings on the field of honor," as they were styled, and scores had been bloody and some fatal.

The duel between Clay and Randolph, fought on the banks of the Potomac just opposite Washington, was bloodless, though Clay fired twice and Randolph once, ending in the renewal of friendly relations; and the Ritchie and Pleasants duel, in which the brilliant Pleasants was killed; and the Droomgoole and Dugger meeting, in which the former, one of Virginia's shining lights, met his death, are written indelibly in the annals of the State because of the prominence of the participants. Another fatal meeting was between McCarthy and Mordecai, both young men, which took place within the present corporate limits of Richmond. McCarthy was shot nigh unto death and Mordecai was killed.

I could mention other "affairs" during the days when public sentiment favored the settlement of affronts by a resort to combat with deadly weapons, under the rules of the code duello, but it would be raking over ashes of the past



which it would be better to leave undisturbed. The sentiment which sustained this mode of vindicating wounded honor has about passed away, except perhaps in extreme cases, and it was given its quietus, in great measure at least, in 1882 by John S. Wise during his canvass for Congressman at large. He had been raised in a school which taught that dueling was right and proper under the circumstances I have stated, and had been connected with several "affairs." In his canvass he was challenged by John S. Crockett, of Wytheville, whose very name was a synonym of courage. Wise accepted the challenge at once, the "cartel" was drawn up, and the principals, with their seconds and surgeons, met on a bright morning in July; fortunately they both escaped injury, and expressing satisfaction they left the field. Soon after this meeting, when all around was quiet and serene, John S. Wise publicly announced that he would never engage in another duel.

He had always been regarded as personally courageous, and I believe justly so, but in his public announcement he displayed a moral courage which few men in his position and with his antecedents would have shown. It was most commendable in him, and it was the beginning of an outspoken sentiment against dueling in Virginia, which has grown more and more emphatic with each of the twenty-two years that have elapsed since from his lips or pen came the announcement that he had fought his last duel.

The loss of the State to Wise in 1882 stimulated the Democrats to make a strenuous effort in the legislative election of 1883. The convention convened in Lynchburg, and after some deliberation as to the selection of a chairman of the State Committee, elected John S. Barbour by acclamation, and prevailed upon him to accept the trust. In his selection the convention made no mistake. He had long been prominent in the councils of the party, and was regarded as a man of ripe judgment and untiring energy. He measured up fully to the requirements of the position. He organized the party in every county and city most systematically and thoroughly. He mustered into service every Democrat who had

fair capacity as a stump speaker and waged the most determined fight that had ever been made in the old Commonwealth. Mahone was at the head of the Readjuster organization, and it was "diamond cut diamond." Both were on their mettle; both were fighting with their visors down. Election day came and Barbour won—the State went Democratic and both branches of the legislature were wrested from the Readjusters; but the Executive of the State, Governor Cameron, elected by the Readjusters, was still in office.

When the Presidential election of 1884 rolled round, Mahone threw off what the Democrats believed all along to be a cloak to conceal his real political convictions and purposes. He proclaimed himself a Republican and supported Blaine for President. But many of his Readjuster followers here called a halt; they would not follow him into the Republican party, and they renewed their allegiance to the Democratic party and became most zealous in their support of Cleveland. The Democrats, still led by Barbour, with Mahone again "in the saddle," went into the campaign inspired by their victory of the previous year, and enthused by the splendid qualities and winning record of their Presidential candidate. They made an aggressive fight and achieved another signal victory.

I had been renominated for my second term in Congress without opposition in the convention, and re-elected over my Republican competitor, Dr. J. B. Webb, by more than 3,000 majority. My county, which had gone against me in my contest with my Readjuster opponent two years before, had been brought into the Democratic column. The majority was as small as possible, only one—nothing to brag about, except in comparison with the former Readjuster majorities. It was amusing to hear Democrat after Democrat claiming the credit of the unit victory.

Finally on the court-day succeeding the election I settled the dispute by relating an incident that occurred the night before the election. A young Republican who was to cast his first vote the next day was visiting a young Democratic girl, who had promised to become his bride, and he had



called to fix the nuptial day. He gently and lovingly approached the subject, but she gave him an evasive answer. He pressed for a direct reply to his suggestion, still she was coy. Finally this colloquy took place:

*She.* "John, to-morrow is election day." *He.* "Yes, Sally, it is, and I shall cast my first vote." *She.* "And that must be a Democratic vote." *He.* "Oh no, it will be a Republican vote. I'm a Republican." *She.* "Then you think more of that Republican vote than you do of me?" *He.* "No I don't, either." *She.* "Yes you do." *He.* "No I don't." *She.* "Yes you do, or you would give it up to get me." *He.* "Why, Sally, you don't mean to say that I can't get you if I vote that ticket?" *She.* "Yes, you have the thing exactly right. I was reading since I saw you last that the Republican party in Virginia was about seven-eighths black, and if you go along with such a crowd you can't get me." He protested; he insisted that political equality did not mean social equality, but he failed to convince her. She excused herself for a few minutes, and then returned with an election ticket in her left hand, and upon it were the names of "Cleveland, Hendricks, and O'Ferrall." She said: "John, here is my hand"—stretching forth her right hand—"and here is a Democratic ticket"—extending her left hand. "If I give you my hand you must take this ticket and give me your word of honor you will vote it."

He looked intently at her for a moment and said, "Sally, are you in dead earnest or are you joking?" She replied, "John, this is no joking matter; I'm in dead earnest." Instantly he wilted, and said, "All right, Sally, give me your hand and give me that ticket. I promise you to vote it to-morrow if it kills me." The next day he cast a Democratic ballot, and the county went Democratic by a majority of one. All the claimants of the credit of Rockingham's one Democratic majority withdrew from the contest and gave three cheers for the bonny lassie.

Two Democratic victories had now been achieved in succession, one over the Readjusters, and the other over the Republicans, strengthened by the Readjusters, who had come

out boldly and declared they were Republicans—most of them upon the ground, as they stated, that they were protectionists, and opposed to the Democratic doctrine on the tariff. But General Mahone was not done fighting; he was as fierce in his opposition to "Bourbonism," as he styled Democracy, as ever, and losing no time he commenced to organize for the gubernatorial election of 1885. His two defeats had not daunted him in the least; he was as full of fire as if he had met no reverses.

The Democrats being forewarned that to maintain their advantage they must be vigilant and active, under the direction of Barbour, their chief, kept their organization in perfect form, and strengthened as far as they could all weak places in their lines. The twelve months rolled round rapidly and the two State conventions were held. The Republicans nominated John S. Wise; the Democrats, Fitzhugh Lee.

Fitz Lee knew little about organizing a political party, and he had at that time only meagre training as a stump-speaker, but he developed rapidly and made an excellent and captivating canvass. Cavalcades of old soldiers greeted him at the depots, and mounting a fine horse, awaiting him, he would ride at the head of "the boys," with the same grace as of the days of carnage, to the gathering places of "the sovereigns," where he was always received with cheers and wild enthusiasm. The candidates had no joint discussions, it being the policy of the Democratic party to have its own meetings, except occasionally in the white counties of the State, the purpose being to show that the colored voters of the State were welded together in a solid mass with a small percentage of the white voters, against the great body of the white voters.

Occasionally, as I have said, in a county where the colored population was infinitesimal there would be a joint discussion, and it so happened that I was appointed by the State Committee to meet Honorable John S. Wise, the Republican gubernatorial candidate, in one of these counties.

This meeting was in Grayson County, in the southwestern

section of the State, almost entirely a white county. The gathering was very large, and about equally divided politically. The discussion lasted for more than four hours, with the excitement at boiling heat; but the crowd was on its good behavior, for each side realized that an imprudent demonstration would probably result in serious trouble. The distinguished candidate and noted speaker was in fine trim, though he had been speaking daily for weeks. I was in excellent health and vigor, though I had been doing hard work for many days. It was a discussion of the principles of Republicanism and Democracy, untinged with Readjusterism.

In my early political days I was advised by an "old stager" never to allow my opponent to put me on the defensive, and I always endeavored to follow his advice, so I was aggressive; but my opponent was equally as vigorous in attack. I had a splendid candidate, with a magic name and record. The opposing candidate, representing himself, had a magnetic name in Virginia, and he had been wounded with the boy cadets of the Virginia Military Institute in the Battle of New Market, where the corps immortalized itself, about fifty of them being killed and wounded.

In our discussion it was stroke and parry, thrust and guard, figuratively speaking, for four hours, and at the close each of us received an ovation from our respective friends—each side claiming a victory for its champion. We retired to the village hotel, changed our clothing, for we were as wet as wharf rats, and then sat down together to a warm dinner and chatted pleasantly, to the amazement of those who saw us, for they could not understand, as they said, "How men could slather each other as we had done, and still be friendly." Little did they know the ways of politics and politicians.

I regard that discussion as the hardest fight of my political life.

Lee was elected over Wise by a majority of 16,034 votes, in a total vote of 289,054. Grayson County, which had given a majority in 1884 against Democracy, gave a small Democratic majority, which was gratifying to me, for I was

vain enough to attribute it somewhat to the effect of the discussion I had with the brilliant and dashing Republican gubernatorial candidate.

This was Barbour's third victory over Mahone. In 1887 a Democratic legislature was secured without difficulty, and in 1888 Cleveland carried the State and I was re-elected to Congress for my fourth term; though under the leadership of Mahone there was vigorous opposition to both electoral and congressional tickets. The year 1889 brought another contest for Governor. There were numerous candidates for the Democratic nomination. Philip W. McKinney, an eloquent and distinguished lawyer and lovable man; Richard A. Beirne, editor of the *Richmond State*, a brilliant writer and a splendid fellow, young and full of life and vivacity, brave and fearless, with a host of friends, particularly among the young men; John T. Harris, a former member of Congress for ten years, an astute politician, and possessing much personal magnetism; Samuel W. Venable, a prominent and most worthy citizen, and most successful business man, and myself. In the convention McKinney was nominated on the second ballot, with Beirne second, while I came third, close on his heels.

It had been understood for some time that Mahone intended to make a herculean effort to reach the Executive chair, which seemed to be the pinnacle of his ambition, and that he would be the Republican candidate for Governor; and such he became by acclamation in the convention.

He was not a speaker, and made no attempt to canvass the State, trusting that to his lieutenants and subalterns; but he was engaged in giving directions and in using his consummate skill as an organizer. He wielded a trenchant pen, and much of the literature of his party, which was scattered broadcast, was prepared by him. But while he did not realize it, he was in his death struggle, he was making his last fight, his star was setting, the doom of an inglorious defeat was before him. McKinney was elected by a majority of 42,953 in a total vote of 285,471 votes.

This was the political end of General Mahone, and there

was something really pathetic in his downfall. He was a Virginian to the manor born; he had come up from the people with neither wealth nor influential friends in early life to aid him, yet he had worked his way from a civil engineer to the presidency of an important trunk-line railway system, over four hundred miles in length; he had raised and commanded the Sixth Virginia Regiment of Infantry in the War between the States, and had become a major-general in 1864. He had been a Democrat, earnest and influential in Democratic councils, and a tower of strength to his party in several important crises. When he aspired to the Democratic nomination for Governor he had a powerful following, greater than any of the other five aspirants. But for some reason or in some way he had incurred the enmity of a number of influential men in the party, and they encompassed his defeat in the convention, or rather forced his retirement from the field to avoid it. Then he organized the Readjuster party and became its leader, with dictatorial powers, and was sent to the United States Senate for a term of six years; then he proclaimed himself a Republican and was made the leader of that party in Virginia, with absolute sway; then, after suffering various defeats, he finally met his Waterloo in 1889, and the sceptre of leadership dropped from his hand forever, and he fell like Lucifer,

"Never to hope again."

War is cruel and so is politics often. During General Mahone's candidacy an effort was made to reflect upon his soldier-record. Through all the years after Appomattox until he changed his political colors his record had been regarded clear and spotless, but in the fierceness of the political conflicts that followed his political change there were whisperings among extreme Democratic partisans that there were blots upon his soldier-record, and when he became a candidate for Governor the whisperings grew into a loud acclaim. But I am glad to say that the charge had little effect, and the members of his old division, without regard to their party faith, resented it with spirit. I regarded it as cruel.



## CHAPTER V

### FROM CONGRESS TO THE GUBERNATORIAL CHAIR

Re-elected to My Fifth Term in Congress—I Announce My Candidacy for the Nomination for Governor—Shall the Office Seek the Man or the Man the Office—My Pride in Virginia—My Rivals for the Nomination—Free Silver in the Convention—My Canvass—Inaugurated as Governor—The Zenith of My Political Ambition—My First Regular Message—The Coal Strike of 1895—Coxey's Army—The Question of Pardons—Some Unique Cases—Oyster Disturbances—"Wise's Oyster Fundum Views."

From 1889 forward the Democrats had easy sailing in smooth water until the Presidential election of 1896, to which I shall refer later.

In 1890 I was re-elected to my fifth term in Congress by a large majority, and in 1892 Cleveland carried the State with mere formal opposition, and I received my sixth and last commission to a seat in the House of Representatives.

In the spring of 1893 I announced my candidacy for the Democratic nomination for Governor, and set about perfecting my organization. In 1889 I had been inert and made no special effort; this time I determined to strike hard for the high prize. I had become convinced that the so-called Washington idea of "letting the office seek the man, not the man the office"—if the Father of his Country had ever acted upon this principle, and that was the rule in his day and generation, it would not do in these hustling political times. Neither could I see why I should quietly fold my arms and lie supinely upon my back and pray for the coming of the office in search of me; my ambition was laudable, and I could discover no reason why I should conceal it from my friends.

And, by the way, let me say at the risk of censure at the hands of those who have been impressed with the oft-repeated reputed declaration of our illustrious first President, whose memory I venerate as much as they do, that from my

reading of moth-eaten and time-worn chronicles of the latter part of the eighteenth century, I am convinced that the sage of Mount Vernon was a consummate politician and that his ways were not different from the ways of the high-minded and honorable politicians of the present day, who do not think they lower their dignity or detract from their manhood when they seek honors by honorable means. My reading convinced me that George Washington was just as honest and frank with his people as he was with his father at the time of that historic episode of the hatchet and cherry tree, and if he wanted an office he did not wait for it to search for him in the forests or amid the sequestered places of Mount Vernon.

And while I am on the subject of the reputed Washington idea of "the office seeking the man, not the man the office," let me say that my reading of the old chronicles has also convinced me that the illustrious man, "who was first in war, first in peace and first in the hearts of his countrymen," never advanced the doctrine that no man should serve more than two terms as President of the United States, as many believe. It is true that he declined a third term, but it was simply because he desired to retire to private life and be relieved of the cares of the nation, which at his age had become onerous and burdensome.

There is not a word or intimation from him, as far as I have ever been able to find, to indicate that he even thought it unwise to elect a man as President for a third term, and I believe I can safely challenge the production of any proof to that effect. The idea that a third term would be in the direction of imperialism, or of a kingly or royal government, was never advanced by the illustrious patriot and statesman whose sacred dust reposes on the banks of the Potomac, and whose memory is revered by the whole nation.

Begging pardon for this diversion, I return to my candidacy for the gubernatorial nomination. Such was my pride in the history, glories, traditions, and memories of my Mother State that I felt I would rather fill, worthily, her

Executive chair—far rather—than wear any Federal or royal honor that could be bestowed.

Virginia, named for the illustrious virgin queen upon whose soil the first lasting English colony was planted, “the cradle of republican liberty was first rocked,” and the struggle was ended which gave to us a free country, and the oppressed of every land a safe refuge; whose Randolph was president of the first Continental Congress, which approved the opposition of the inhabitants of Massachusetts Bay to the tyrannical acts of the British Parliament; whose Henry, by his burning words and flaming eloquence, aroused the Colonies to strike for their liberties; whose Jefferson penned the Declaration of Independence, the greatest of all instruments not the result of inspired wisdom; whose Washington led the armies of the Revolution to victory; whose Madison urged and secured the broadest freedom of religious rights; whose Mason, in the Bill of Rights prepared by him, enunciated the rights that pertain to the people under a republican form of government; whose Monroe established the “Monroe doctrine,” declaring that the Powers of the Old World must not interfere with the affairs of the New, and that any attempt on the part of European powers “to extend their system to any portion of this hemisphere” would be regarded by the United States as “dangerous to our peace and safety, and would accordingly be opposed”; whose Marshall construed and expounded the Federal Constitution, and whose Lee electrified every enlightened clime with his military genius, pure life and sublime character; a State that had furnished to the Republic its first, third, fourth, fifth, and tenth Presidents, and given birth to its ninth and eleventh; that had prior to 1861 furnished five Justices of the Supreme Court; twenty cabinet officers, thirteen ministers plenipotentiaries, and four speakers of the House of Representatives; and had donated to the General Government the Northwestern Territory, out of which many States had been carved, now teeming with millions of people and myriads of products—to be the Governor of

such a State was to me, her son, an honor above all earthly honors.

I made no concealment of my desire for the nomination, nor did I remain inactive. With hosts of friends in every section of the Commonwealth, I impressed upon them the importance of activity and organization, and everywhere my suggestion was met with a hearty response, and in every county, district, city, and town a most perfect organization was effected.

I had two competitors for the nomination, Colonel A. S. Buford, of the city of Richmond, and Major J. Hoge Tyler, of Pulaski County—both splendid men. Colonel Buford was a gentleman *sans peur et sans reproche*, of superior ability, respected by all the people and beloved by his friends. He had been president of a railroad system, prominent in business circles, an earnest Democrat, and potent in party councils. His personal acquaintance, however, with the great mass of the voters of the State was quite limited, as he had never been brought in touch with them on the hustings, and they only knew him by reputation.

Major Tyler had been a State Senator, was at the time Lieutenant-Governor, and had done much campaigning and effective work on the stump. He was a ready and attractive speaker, full of humor, affable and pleasing in manner, and an excellent "mixer on the court-green." His friends were very fond of him, and he had few, if any, personal enemies.

The contest was spirited, but conducted on a high plane, nothing occurring worthy of note to engender bad feeling or cause complaint.

The convention met in the city of Richmond in August; the money question was just coming to the front; Colonel Buford and I were opposed to the radical doctrine of free silver, while Major Tyler was an advocate of it. A resolution was offered by the friends of Major Tyler declaring in favor of the free and unlimited coinage of the white metal, but it was defeated by an overwhelming vote. The convention consisted of 1604 delegates—the basis of representa-

tion being one delegate to every one hundred Democratic voters or fractional part thereof over fifty in every county and city.

I was nominated on the first ballot, receiving 1201 votes I think. I was put in nomination by Honorable William F. Rhea, afterwards a member of Congress, who aroused intense enthusiasm among my friends, and tended in large measure to secure for me the very heavy vote I received. A copy of this speech I have preserved and shall bequeath it to my children as a proud memento of my political life.

I would be glad indeed to mention the names of many of my friends who were prominent in my organization, and whose indefatigable work brought me such a signal victory; but the list would be too long, and besides I might omit some most worthy of mention, and be regarded as unjustly discriminating. I must, however, speak of J. Frank East, the chairman, and E. L. C. Scott and Joseph T. Lawless, secretaries. Their work was simply superb; it could not have been excelled.

After I was nominated I entered upon my canvass, to which I confined myself as closely as my Congressional duties would permit. Populism had secured a foothold in Virginia—the Readjuster party had ceased to exist, and the Republican leaders had declared their purpose not to put a ticket in the field, so the Populist party nominated a full ticket, placing at its head Captain Edmund Cooke, a very estimable citizen of Cumberland County. A platform was adopted declaring for the free and unlimited coinage of silver, and all the fallacies of Populism. All the speakers who could be mustered took the stump, and Jerry Simpson, Lafe Pence, Kerr, and others of like ilk and kind were imported into the State. They attempted to effect a coalition with the Republicans, but they succeeded only partially—many of the more prominent Republicans supporting me.

The Democrats had in the Populist opposition an unknown strength; they could not tell what inroads Populism might make, hence they were vigilant and active; in fact, at one time they were alarmed, which insured activity. The

result, however, was never doubtful in my mind, but I did not expect as large a majority as I received, which was 46,701.

The utter ignorance of some of the supporters of free silver was amazing. Some of them conceived the idea that free silver meant that silver money was to be distributed free for a season, so as to increase the volume of the currency and relieve the people. Others that "16 to 1" meant that for every gold dollar a man could produce he would receive from the Government sixteen silver dollars, and that every silver dollar would have the purchasing power of a gold dollar. Of course, these people were of the ignorant class.

I resigned my seat in Congress shortly after my election, and was inaugurated as Governor on the first day of January, 1894, for the constitutional term of four years.

The ceremonies took place from the front portico of Virginia's venerable Capitol, in the presence of an immense concourse of people; they were opened with prayer by that distinguished and idolized pastor of the Second Presbyterian Church of Richmond, Rev. Moses D. Hoge, D. D., who had for fifty consecutive years filled the pulpit of that church; whose fame as a pulpit orator and versatile speaker, not only filled this land, but extended across the vasty deep—a godly, saintly man, and he was always selected to officiate on important occasions; the oath was administered by Honorable L. L. Lewis, president of the Court of Appeals of Virginia, and who, though a Republican in politics, had then, as he has now, the supreme respect of all classes for his legal learning, just judgment, and exalted character.

I had now reached the zenith of my political ambition. I was Governor of Virginia, and would not have exchanged positions with him who wielded the sceptre of empire. I would not have laid aside the simple title "Governor of the Commonwealth of Virginia" to receive a kingly crown. My title had come to me by the free voice of the sovereign people of my native State; it had not come through heredity of family or blood; it had not descended to me as the eldest son of a dead or dethroned ruler nor by revolution or

violence, but had been bestowed by the untrammelled will of a free people, in days of peace and tranquillity. It had been conferred upon me by the same process that made Henry and Monroe the Chief Executives of Virginia in the early days of her statehood.

I trust I have not created the impression that my elevation had made me vain-glorious, or filled me with conceit, for surely it had done neither. I was gratified to know that my people had declared me worthy of such an honor, but the feeling that I might not measure up to the standard of efficiency and discharge my duties in an acceptable manner impressed me deeply, and as I stood by the side of Dr. Hoge on the portico of the Governor's Mansion, reviewing a column of volunteer militia that was passing, I said: "Doctor, the desire to be Governor has long been in my bosom, but now that my ambition has been gratified, I feel, as I never felt before, how weighty are the responsibilities the position imposes. I am really depressed." He replied: "Act always as you think right; keep your conscience clean; pray God to direct you, and all will be well."

During my four years I had many things to perplex and trouble me, but the words of that man of God would always come to my relief and encourage me. My administration did not run its course like a smooth, unruffled current. For several years, in fact from the close of the war, mob violence had frequently occurred, and lynchings had been numerous, and the spirit had grown to such an extent that during the four years just previous to the beginning of my term twenty-seven men had met their deaths at the hands of mobs.

In my inaugural address I said: "I shall see that the laws are rigidly enforced in all respects, and that good order prevail throughout the limits of the Commonwealth; if riot or disorder should occur, whether in the crowded city or rural district, and the local authorities are unequal to the task of quickly suppressing it, no time will be lost by me, as the Executive Officer, in using the power of the Commonwealth to restore the supremacy of the law, let it cost what it may in blood or money."

In my first regular message to the General Assembly I used this language:

With pain and mortification I bring to your attention the frequent taking of human life without the process of law within the borders of our State. Every such act blunts the sensibilities of the participants and tends to dry up the well-springs of morality and break down the safeguards of society.

In Virginia lynching cannot be defended; it must be reprobated. This Commonwealth has ever boasted of the purity of her judiciary, and the uprightness of her injuries, yet the number who have suffered death by the halter without trials or sentences of her tribunals of justice has created abroad the impression that her judges and juries cannot be trusted, or that her people are swayed by passion and uncontrolled by reason; that the law is dethroned and lawlessness reigns.

I know there is a crime too horrible to mention, so black as to cry for vengeance; but even the commission of that crime cannot warrant a resort to mob violence, for justice with us is certain and will never miscarry if the law is allowed to take its course.

\* \* \* \* \*

Our list of executions without the pale of the law is long, including both races; and while some States have lists of greater length, this cannot excuse us. We cannot be justified in the sight of God or man by pleading that some other people are worse than ourselves.

I invoke with emphasis the exercise of your power in stamping out the spirit which is bringing reproach upon the honored name of this Commonwealth. Christianity demands it; public morality requires it; popular sentiment exacts it.

The first two years of my administration passed without a lynching; but the utmost vigilance and free use of the military were demanded to prevent it. The entire cost of the military during the two years was less than two cents on each one thousand dollars of the taxable values of the State. A small sum indeed to suppress the spirit of mobocracy and preserve law and order.

During the last two years of my term I was not so fortunate, for one white and two colored men suffered death without due process of law. I had no warning of impending danger, and had no opportunity to take steps to prevent the act of the mob in either case. While I regretted, of course, when my term closed that I could not look back over the four years unstained by a lynching, still I was gratified that the number was so small, as compared with previous years, and that I had broken down almost entirely the spirit



of lynching that had prevailed to an alarming extent in the State so long.

In the spring of 1895 a dangerous condition of affairs sprang up in the Pocahontas coal mining region of the State.

The Virginia and West Virginia mines were located close to each other and ran almost to the line between the States on either side. A strike, involving five or six thousand miners, occurred in the West Virginia mines, but the Virginia miners had no grievance, refused to join the strikers and continued to work. The strikers were determined that the Virginia miners should not continue to mine, and they were preparing to use force, if necessary, to carry out their purpose. I was informed of the condition of affairs, and I determined that every Virginia miner who wanted to work should be protected if it took all the military power of the State. I believed that a fundamental principle of government was involved; that it was the duty of Virginia's Executive to preserve the personal liberty of every citizen; that every man had the right to stop working if dissatisfied with his wages, and no man or set of men should compel him to continue. On the other hand, no man should by force, threat, or menace be compelled to withdraw from work; that to deprive a citizen of his right to labor and earn a livelihood was to rob him of that which was guaranteed to him under the organic law of this land. I maintained further that it was the duty of Virginia to protect all property alike, regardless of its character; that railroads, mines, factories, and industrial enterprises were as much entitled to protection from unlawful interference as any other species of property.

With a fixed purpose to preserve order, uphold the law, protect property rights and the right of Virginia miners to continue their labor in the mines, if they so desired, I ordered a military force, under Major Simons, to the scene of the trouble, sufficiently large to overawe the lawless, as I hoped, if not strong enough to cope successfully with any outbreak.

The presence of the soldiers had the effect I had hoped for; it prevented any violent demonstration upon the part of the strikers, but the strike continued and the condition remained so threatening that a military force was maintained for ninety days, and until the strike "was declared off" and the West Virginia strikers returned to their shovels and picks. As soon as the Virginia miners found that they were safe from violence or interference they resumed their work in the mines, and the number grew daily, until the mining force ran up from 1,100 when the strike commenced to 2,300 when it closed and the military was withdrawn.

The operation of the Virginia mines during the three months enabled many Virginia enterprises to keep their wheels running, and the presence of troops did all this, and besides protected a great trunk-line railway from threatened danger, secured every man in his right to pursue his daily work without molestation, and infringed upon no personal or property right. No strike of such magnitude had ever occurred in Virginia or on her border before, and never before, since the war clouds of 1861-65 passed away, had military force been under arms more than a week at any one time.

My course was severely criticised by labor unions, and I was regarded as an enemy to labor. No more unjust accusation could have been made. All my life my sympathies had been with the laboring classes, for I believed that in many instances they had been oppressed by giant corporations. But in this instance it was laboring men against laboring men—the question whether or not one set of miners who had struck because their wages were not satisfactory should be permitted to coerce another set, whose wages were satisfactory, to stop work. It was a question of personal liberty—the right of a man to pursue his vocation without hindrance, the supremacy of law and order over disorder and mob violence.

It was law against tyranny, for "Where law ends, tyranny begins." The law prevailed, and "the mob with the hands of Briareus, but the head of Polyphemus, strong to

execute, but blind to perceive," was suppressed; its maddening fury was not allowed to burst forth like a rolling flame; it was quenched as it was kindling. It was gratifying to me to find before long, that the laboring element realized the injustice that it had done me for my course. It arrived at the just conclusion that I was a friend of law and order, not an enemy to the laboring classes.

On another occasion a body of thriftless men, numbering nearly a thousand, gathered principally from the Pacific and Northwestern States, known as "Coxey's army," settled themselves in Virginia on the Potomac, just opposite the National Capital.

They had come on a "fool's mission" to make certain demands upon Congress. They prowled about for miles around in gangs, begging and terrorizing the women of the section, who were generally left during the daytime without male protectors. It was necessary to rid the State of these people, so the sheriff appealed to me for help, and I sent a small military force to require the "Army" to leave the State. My orders were obeyed, and the horde of vagrants, beggars, tramps and cranks recrossed the river, and the Washington authorities required them to disband and return as best they could to the sections from whence they had come.

Horse-race gambling in Alexandria County, in close proximity to the National Capital, had existed to such an extent as to become a shame and a disgrace to the Commonwealth. Pugilists had also made Virginia their place of meeting, and they had succeeded for some years in frequently "pulling off" a fistic encounter, brutal and cruel, degrading in the extreme, and tending to inculcate in the minds of the young men that it is better to become a champion prize-fighter than to excel in the mechanic arts, trades, or professions. It is with pardonable pride, I trust, when I say that during my administration both horse-race gambling and prize-fighting were driven from the State and forced to seek other climes.

I surely soon realized after the beginning of my incum-

bency that the position of Governor was "no bed of ease," and that perplexities thick and fast would come to me.

Under the law of Virginia the pardon power is lodged directly in the Governor, and it constituted the bane of my gubernatorial life. Other questions and other duties, however difficult and hard to solve and discharge, were easy as compared with the question of Executive clemency. My ear was filled daily with plaintive appeals for pardons, absolute or conditional, and for commutations of sentences. Some of the most affecting scenes occurred in the Executive Office. Mothers, wives, sisters, and frequently children would come pleading for clemency for son, husband, brother or father over whom hung the stern sentence of confinement in the State penitentiary, sometimes of death.

My experience was no doubt the experience of every Governor clothed with the power to pardon or commute. In my last general message to the legislature, in referring to this gubernatorial prerogative, I said:

I have been most sorely tried. The Executive must be exceedingly cautious so as to guard against imposition; at the same time, he must take care not to allow his suspicions to make him deaf to a worthy plea. He should have a heart to feel for another's woes, yet not so tender as to lead him to set aside the law's stern decree upon mere grounds of sympathy or the promptings of a maudlin sentimentality. In the exercise of this executive prerogative I have been guided by a desire to season justice with mercy when it could be done without danger to the interests of society. In all cases of convicts stricken with disease beyond hope of recovery and with death fast approaching I have felt that humanity demanded their discharge, that they might end their days among kindred bound to them by ties that even the disgrace of the prison garb could not sunder. In cases of youthful convicts I have frequently extended clemency, satisfied that continued confinement would harden them in crime, while with their experience as a warning, pardons might encourage them and lead them to reform. In some instances I have regarded the punishments as excessive, and I have not hesitated to commute the sentences. It may be thought by some that I have exercised the pardoning power too freely. If I have made mistakes, they have been on the side of mercy, which "more becomes a magistrate than too stern justice."

During my term of four years I granted two hundred and twenty-four absolute pardons, seventy-eight conditional pardons, and eighty-seven commutations.

Some of these cases were unique, and I read the facts with the same avidity I had read the plots of many a tragic novel, and of course with far more interest and strain upon my faculties and nervous system, for it was serious reality, and not mere fiction; the question of freedom or imprisonment, or life or death was involved in each case, and the one or the other depended upon the decision of my fallible mind. As I look back over those days of anxious study I recall some instances that should be recorded in these reminiscences. In one of the southwestern counties a man was convicted of the brutal murder of his wife in the presence of little children, the fruits of the marital union. The details were too horrible and blood curdling to perpetuate, and I shall not give them. The Court of Appeals of Virginia sustained the judgment of the trial court, and the day of execution was duly fixed. Perhaps a month before the sentence of the law was to be enforced a numerously-signed petition was presented to me "to save the condemned man from the halter," upon the ground that he was at the time of the commission of the deed mentally unbalanced and was at the date of the petition a physical and mental wreck; that "it would be a horrible thing to send a demented man to the scaffold."

Many of his acts were pointed out to me by the petitioners as evidences of his insanity when he murdered his defenseless wife, and the petitioners were thoroughly convinced that if not insane then he was surely insane at the date of the petition. I considered with great care the first question presented and came to the conclusion that the acts which the petitioners regarded as the acts of an insane man when he took the life of his wife were perfectly consistent with the idea of sanity. I then took up his condition as then represented to me, and I believed I could discover evidence of feigning. But I was not willing to act upon my judgment. I had not seen the man; the petitioners had seen him and their opinions were worthy of weight.

I did not intend to permit a crazy man to be hung. Accordingly I sent the superintendents of three of Virginia's

Insane Asylums—all of them distinguished in the knowledge and treatment of mental diseases—to make an examination of the man and report to me their conclusions. They made the examination and reported unanimously that the man was perfectly sane and that he had been simply feigning insanity.

Upon the receipt of this report I declined to interfere with the sentence. When the man, whose name was Nicholas, was informed that all hope was gone and that he must die, he threw aside his feigning, and not only admitted the wilful murder of his wife, but confessed, as I was informed, that he had previously committed two other murders. It is a most remarkable fact that he had deceived his jailer, the sheriff of the county, the clerk of the court, doctors, lawyers, and hundreds who had seen him in his prison cell. He had been a consummate actor, but he did not succeed in cheating the gallows of its own.

In another instance, however, the shammer succeeded in liberating himself from the walls of the penitentiary through an absolute pardon. He had been tried three times upon a charge of murder; the first trial resulted in a verdict of murder in the first degree, which was set aside by the court upon some technicality; at the second trial there was a hung jury; at the third calling of the case there was a compromise verdict of six years in the penitentiary. About three months after his term of imprisonment commenced his friends represented to me that he had consumption and that he would soon die if continued in prison, and asked for his pardon. I declined. Some months thereafter they came back with an earnest plea for clemency, upon the ground that his disease had made rapid progress, and that he could not survive much longer. I declined again to interfere with the sentence, but I sent for the prison physician and inquired of him as to the man's condition; the physician reported that his condition was very bad. I gave directions to the physician to report to me from time to time whether he was getting better or worse, and every report was "condition worse."

Finally, after he had served about twenty months of his sentence, a minister of the Gospel came to the Executive Office and told me that the man "was bound to die; that it was only a matter of a few days; that he had just administered the death sacrament to him and never expected to see him alive again." I sent for the physician and superintendent and they gave me a most distressing account of the convict's condition.

I determined to act, and made the following endorsement on his papers: "This man is far gone with consumption; has had several hemorrhages, and has been in the hospital nearly all the time he has been in prison. The physician thinks he is liable to die at any time from a hemorrhage. Case under consideration for months with doubts as to the propriety of clemency. The condition of the man is such that I think humanity calls for a pardon."

He was given his liberty that he might die in the bosom of his family and friends. In less than three months he was in Richmond, dressed in the height of fashion, stopping at the famous Jefferson Hotel, with the flush of health upon his cheek. He had played his part to perfection, and secured his pardon and release from prison by most remarkable shamming. I think he is still living.

I was impressed with the direful effects of the morphine habit. The use of this drug has sent many to prison. I have known men of the highest respectability, and women of the highest culture, fall into the deepest depths of degradation and shame, and be placed behind bars, by becoming slaves to this drug.

I recall numerous instances of petitions for pardons or commutations of sentences of this unfortunate class. On a certain occasion a lady bearing every evidence of refinement, but most poorly clad, came to the Executive Office, and with intense emotion plead for her husband, who was under sentence for forgery. The story she told was most affecting. Her husband had been a prosperous man and his family comfortable and contented. He became ill and his physician administered morphine, and this worthy

man and good citizen became "a morphine fiend," and lower and lower he fell, until he would resort to any means, however base, to procure the drug, ending finally by forging an order for ten dollars, all of which he expended in the purchase of the narcotic. He had previously sold nearly everything in his home, and pauperized his family.

With tears streaming down her cheeks, this refined and once happy wife implored me to save her husband from the penitentiary, and save her and her children from the disgrace which would attend them through life of being the wife and children of a man who had worn a convict's stripes. I was touched to the very quick by her sad story and tearful appeal, and told her I would inquire into the case immediately, and she could come back and see me again in a few days.

The man was still in jail, and I ordered his retention there until I directed otherwise. I found her story to be literally true, and I awaited her return. She soon came and I relieved her anxious suspense as quickly as possible by telling her that she and her children should be saved from the shame she so much deplored; but I thought her husband should be confined sufficiently long to break him from the morphine habit if possible; that I would commute his sentence to four months in jail—he should not go to the penitentiary.

Never shall I forget the light and hope that came into her face. Her gratitude was expressed in the most beautiful language. Twelve months, or perhaps a little more, rolled round, when I received a neatly-written note from her telling me that she was again happy, and asking me to let her call and see me. Her request was granted. She came. In appearance she was completely changed. She was well dressed, her face was as bright as a sun ray, and her eye beamed with happiness. She told me that the four month's confinement had cured her husband of the horrible habit; that he was "a man again," friends had helped him to start in business, he was doing well, and they were happy in each other's love.



No act of my official life has given me more pleasure than the saving of this wife and her children from the shame that would have attended them through life, the reforming of the unfortunate husband, and bringing happiness into the desolate home.

In the second year of my administration a petition for the pardon of a man who had been convicted of murder, by lying in wait, and sentenced to be hung, to whom a new trial had been refused by the appellate court, and sentence of death again pronounced upon him; who had been rescued just before he was to be hung, by a large body of citizens, many of them of the highest standing, by battering down the jail doors and taking him from his cell in spite of his protest; who was then induced by his friends to flee to a distant Western State, where he lived under an assumed name for several years, greatly respected by the people; whose whereabouts were finally discovered and a requisition made for him; who was arrested and brought back and sentenced a third time, and his sentence then commuted by my predecessor to life imprisonment.

He had borne a most excellent character, and his neighbors believed he was innocent of the charge and that his conviction was unjust and the result of perjured testimony and a weak defense. I had the case under consideration for many months, and finally reached the conclusion that he should be set free. He had been in the penitentiary for four years, and his conduct had been exceptionally good. For some time after the petition for his pardon was presented I received a letter every week or two from his wife, pleading for his pardon; but some weeks before he walked through the prison gate, a free man, her letters ceased to come.

With the fond expectation of joining his wife and children he took his departure for his home. But when he reached home he found neither wife nor children. She, who had written so many letters, pleading for his pardon, declaring "that she could not live without him," had a short

time before his release taken unto herself another spouse, and with him and her children had moved into Tennessee.

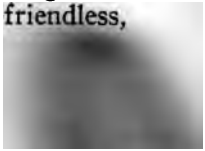
Three times had this man stood up in the halls of justice and heard the awful question propounded, "What have you to say why sentence of death should not be pronounced upon you according to law?" Three times had he heard the judge's awful words, "It is the judgment of this court that you be now remanded to the jail from whence you came, and there confined until Friday (the day fixed), when you will be taken therefrom between sunrise and sunset by the sheriff and hanged by the neck until you be dead. May the Lord have mercy on your soul." He always declared he was innocent; he protested against being released from jail, and only fled to another State and changed his name in obedience to the wishes of his friends. He always said, as I was told after his pardon, that God knew he was innocent, and in His own good time He would give him his freedom.

In 1885 an incendiary fire occurred in a certain town and a number of buildings, including several dwellings, were burned.

A colored man was arrested for the crime. He confessed and implicated two colored women—one of them proved an alibi and was acquitted; the other was convicted upon the unsupported testimony of the man, though there was evidence surely as reliable as his to the contrary. The court refused to set aside the verdict, though the Commonwealth's Attorney asked that it be done.

The woman was taken to the penitentiary to serve a sentence of eighteen years. The man was hung and on the scaffold he stated that both women were innocent, that he only was guilty.

This convicted woman remained in the penitentiary until 1897, twelve years, when my attention was called to her case. I made inquiry and found the facts to be as I have stated them. I promptly pardoned her, but she had passed twelve years of her life in prison under a false charge and an unrighteous judgment. She was a negro and friendless,



and while the injustice of her sentence was generally recognized, efforts in her behalf were neglected and the matter finally passed out of the minds of the thousands of just men in the community.


There were two petitions presented to me for commutations based upon grounds absolutely unique.

In the first case a man had been killed by one of two burglars. The one first tried was convicted and sentenced to the penitentiary for a term of years. The other was convicted and sentenced to be hung, and a petition was presented for a commutation of his sentence to confinement in the penitentiary for a term of equal length as in the case of the one first tried, upon the ground that it was not proved which fired the fatal shot, and they should be punished alike.

I refused to commute, stating that they were both principals; that it made no difference which fired the shot that killed; they were engaged in a common purpose and equally guilty, and both should have been hung; and because the first jury did not do its duty, was no reason why the just verdict of the second jury should be set aside; because full justice was not meted out in the first case, was no reason why it should not be in the latter.

A powerful negro, after following a man around for hours, threatening to kill him, finally struck him a blow on the head with a club, which crushed his skull and caused his death in a few hours. It was stated in the petition that the murdered man had a thinner skull than most men; that if his skull had been of the usual thickness it was most likely the blow would not have caused death. For that reason clemency was urged.

I held that the negro when he struck the blow intended to kill, as indicated by his threats, and he had killed. That a man to whom God had given a thin skull should not be required to go around with a steel plate on his head to prevent being killed by a blow which would probably not kill a man with a thicker skull. The weapon used was such as



to inflict serious injury at least to a thick skull, and death to a man with a thin skull, if used with force.

One day the superintendent of the penitentiary came into the Executive Office and handed me a letter from a convict, confirmed all that the letter stated, as facts, and recommended a pardon.

The letter set forth that he, the convict, had been four times sent to the penitentiary from three different counties, each time for grand larceny, burglary, or housebreaking; that he had served thirty years in all within the prison walls; that he was old and decrepit and nearly blind; that he was a reformed man, but if still evil-disposed he was too weak and too nearly blind to commit crime, and that he longed to be free and spend his few remaining days outside of the penitentiary; that he had friends who would give him a home and take care of him.

I pardoned him. In less than sixty days he was in the city jail under conviction of house-breaking. He was a born thief. His long incarceration had wrought no change in him. His reformation was only skin deep, and though old, decrepit and partially blind, the instinct to steal was as strong as ever in him. He could no more change his nature than a leopard its spots.

Virginia's wealth in her waters could hardly be overestimated. She has 201,216 acres of natural oyster beds, rocks and shoals, and 400,000 acres of planting ground of "barren area disposable by the Commonwealth for the propagation of oysters." There was for years a controversy between Virginia and Maryland as to the line between the States in the Tangier and Pocomoke Sounds, which are perhaps the finest natural oyster grounds known.

This controversy was ultimately settled by a commission, and Virginia's contention was sustained. Lines were run, stakes were driven, and buoys were set, clearly indicating the boundary between the States.

The greater contention was over the question whether there was a Pocomoke River only or a Pocomoke River and a Pocomoke Sound. Maryland's contention was the

Virginia's contention the latter. If there was no sound, Virginia would lose what was termed Pocomoke Sound and Maryland would gain and hold that rich oyster ground. The commission, however, decided there was a river and a sound, and that the river was in Maryland and the sound in Virginia, just as Virginia had contended. Old Colonial records were examined and musty books were consulted, resulting in a great victory for the old Commonwealth. If there had been an adverse decision, Virginia would have lost millions of her present prospective wealth, for she has a single piece of 1,200 acres of natural oyster ground, estimated to be worth intrinsically six million dollars.

The legislature of Virginia had been carefully looking after the State's interests in her waters, and had passed acts forbidding the use of dredges on her natural beds, which were very destructive of them. The Maryland beds had been greatly injured by the failure of her legislature to take proper care of them. Virginia's grounds were therefore rich and her citizens with their tongs and boats reaped abundant harvests each season. Maryland's grounds were poor, and her tongs had meagre returns for their labor. Our neighbors yearned for the productive grounds of the Tangier and Pocomoke, but they were the preserves of the Virginians, and a non-resident brought himself under the ban of Virginia's statute the moment he entered her waters and threw out his dredge or put down his tongs. But frequently the temptation was so great that when our guard-boats were out of the way, or under the cover of the night, the Marylanders would slip across the line and "steal, take, and carry away the property of the Commonwealth." Only a few days after my term as Governor commenced I was informed that "a large band of Maryland pirates" were and had been depredating upon the oyster beds of Tangier. The police steamer was ordered forthwith to repair to the scene and capture the "pirates" and destroy the boats. Upon the arrival of the steamer, which was after dark, quite an engagement took place between her and the "pirates," who were in great numbers; but two large piratical oyster

boats were captured, each loaded to the water's edge with choice bivalves. After this the legislature strengthened "Virginia's Oyster Navy," and incursions have been less frequent since.

All this may be regarded by some as "a much-a-do about nothing." But this is not so. Virginia's wealth in her waters,—in her oyster and fishing grounds,—as I have said, is beyond computation.

When I was a mere boy I heard Henry A. Wise, in his remarkable Anti-Know-Nothing Campaign, declare that no brain could approximate the value of Virginia's oyster grounds and fisheries. He lived in the very section of which I have been writing. He also declared that by proper management these properties could be made to yield a sufficient revenue to pay the expenses of Virginia's State government and the interest on her State debt. Governor Wise's opponents styled his statements "Wise's Oyster Fundum Views." While Governor Wise's opinion was perhaps too optimistic, I am sure a very large revenue could now be raised on the lines he marked out. Whether it will ever be done is a question no man can answer. The subject is worthy of the most careful consideration, and the legislator who can devise a plan which will enable the State to reap a proper revenue from her valuable properties will write his name among her chief benefactors.

## CHAPTER VI

### EVENTS OF FORTY-EIGHTH TO FIFTY-THIRD CONGRESSES.

My First Seat in Congress Obtained Through a Contest—Committee Assignments—The Aesthetic Committee—The Portrait of Dolly Madison—The McGarrah Claim—The "Eads Bill"—Speaker Carlisle's Contest—Mr. McKinley Loses his Seat on a Contest—The Fifty-first Congress Becomes Republican—The Stormiest Congress in the History of the Government—Speaker Reed's Classification of Members—A Clash with the Speaker—Mr. McKinley Pours Oil upon the Troubled Waters—We Gain our Point, but to no Purpose—Filibustering to Kill a Force Bill—"Second Democratic Secession from the Union"—My Estimate of Thomas B. Reed.

As I have stated, I obtained my first seat in Congress through a contest. I had been defeated by a small majority by fraudulent votes, and I was compelled to ask for justice at the hands of Congress. I got it, and was seated in the Forty-eighth Congress, just in time to cast my first vote for the Morrison Tariff Bill. My Congressional services embraced the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, Fifty-second, and nearly all of the Fifty-third Congresses, resigning in December, 1893, to assume the duties of Governor. I shall endeavor to present with a truthful pen many of the most important and interesting occurrences during my twelve years' service, many exciting, some thrilling, some amusing.

In the Forty-eighth and Forty-ninth Congresses I was a member of the Committee on Commerce; in the Forty-ninth I was Chairman of the Committee on Mines and Mining. In the Forty-ninth, Fiftieth, Fifty-first, Fifty-second, and Fifty-third I was a member of the Committee on Elections, and of the Library Committee, and the last two terms Chairman of the Committee on Elections.

To the Library Committee were referred all bills for the erection of monuments and statues, the purchase of paintings and pictures, and bills which could not be properly referred to any other standing committee. It was what the

members of the House called the "Aesthetic Committee." Why I was appointed on it I never understood, for while I loved the beautiful in nature and art, yet I knew nothing of the theory or philosophy of taste, or the science of the expression and embodiment of beauty by art, which is, I believe, the definition of the word "aesthetics." The committee consisted of only three members, and when a painting was presented for our consideration and critical examination I felt how farcial was the idea of submitting its merits to me. Still, strange to say, my judgment in several instances was sustained by connoisseurs after the paintings were purchased; they had simply pleased my eye and I liked them; to my uneducated eye they were all right, but I felt all the time that no weight should be given to my opinion; at least, my judgment should be taken *cum grano salis*, in fact with many grains of doubt.

At one time there was a strong effort made to establish a National flower, and this brought before us many aestheticians from different sections of the country, and each was an enthusiast for his choice, and at great length frequently the beauty and grandeur of some flower would be presented with flowery eloquence. There were, however, only four flowers that had many advocates—they were the hollyhock, goldenrod, sunflower, and pansy.

The strong and sturdy stock and the exquisite tinting of the hollyhock were urged with great earnestness; the stately goldenrod, with its showy heads "waving like golden wands, making gay the whole land," was pressed with vigor; the sunflower was presented in a style so attractive as almost to make us blush with shame that we had always regarded it as only suitable for a corner of the kitchen garden; and the pansy, with its perennial growth, sepals, petals, and stamens was descanted upon at great length, and its advocates not only insisted that it should be made the National flower, but that a pansy with as many leaves as there were States in the Union should be placed upon our National flag, with a star in each leaf, representing a State.

The "Aesthetic Committee" listened patiently to these



aestheticians, who were really entertaining; but the Committee took no action, concluding that the Republic had lived long and prospered without a National flower, and would continue to grow and expand without it, and that as to the suggestion of changing the flag of the fathers that had floated so long wreathed in glories, it would be a sacrilege to alter it by putting a pansy or any other flower upon it. So all the flowery advocates took their departure, feeling that the members of the committee lacked the necessary qualifications of their important positions.

Among the paintings which were purchased by the Government upon the recommendation of the Library Committee was the portrait of Dolly Madison, the beautiful and charming wife of President Madison. It was life-size, and represented her standing, in full evening dress, ready for a reception occasion. Her refined and lovely features, exquisite figure, graceful poise, and elegant costume made the painting worthy of a place in any gallery of the highest works of art. I think it adorns the walls of the White House. It is well known she was a famous beauty, and that she had a charm of manner never excelled, if equaled, by any mistress of the Presidential Mansion before or since Madison's administration.

I remember I took an old country constituent of mine to the Corcoran Art Gallery where this portrait was on exhibition. The display of paintings seemed to daze him; for some minutes he stood speechless, gazing about the hall. I then said, "I want you to look around and tell me which of all these paintings you like best." We started on our circuit; every now and then he would say, "I like this picture," or "this is mighty fine," or "this is very pretty"; finally we reached "Dolly" Madison. Instantly he exclaimed: "My heavens, what queen is this? Is that a natural picture? Did as pretty a woman ever live?" I told him she was not a queen, but an American woman, and that it was a true likeness of her.

He said, "Are these paintings for sale?" I asked why? "Because I want to buy this picture, and I will

give as much for it as I gave for the finest horse on my farm—a full thoroughbred fellow, and I will pay the money right down.” I said, “What did you give for your horse?” He replied, “Two hundred dollars.” I then told him that the portrait was for sale, but it would take at least half of his fine large Shenandoah Valley farm to buy it.

With a look of surprise he said: “Why, you don’t say so. Well, I would rather have it than all the pictures I ever saw, but I can’t give that much for it.” I then told him whose portrait it was, and he informed me that when he was a boy his father visited Washington, and on his return home told his mother he had seen the wife of President Madison, and he thought she must be the prettiest woman in the world.

It was with difficulty I succeeded in getting the old gentleman from the gallery, and he informed me afterwards that the next day he returned to the gallery “to get a parting look at ‘Dolly’ Madison.”

My service as chairman of the Committee on Mines and Mining was pleasant and instructive. I learned much mining law, and was highly entertained by the discussion of bills in connection with mining matters and claims.

The most interesting and important bill before the committee was the bill relating to the celebrated McGarrahan claim, that had been before many previous Congresses. I had read of it for years, and somehow I had been unfavorably impressed with the claim, and was inclined to treat the bill as one without real merit, and to regard the claimant as visionary and persistent and possibly seeking to recover what he knew did not justly belong to him. Still it was my duty to hear him and to act the part of an unbiased judge.

His counsel was Hon. Eppa Hunton, a former Congressman from the Eighth Virginia district, a member of the commission appointed to decide the Presidential election of 1876 (Hayes and Tilden) and afterwards a member of the United States Senate. The fact that General Hunton was the counsel in the case impressed me favorably, for I had

confidence in his judgment and absolute faith in his integrity. I knew that the General had been deceived, or there were merits in the claim of McGarrahan.

The bill was taken up before a full committee, and the opening argument was made by General Hunton. His effort was powerful. The facts were laid before the committee and everything connected with the claim was presented by the able counsel in his usual frank and candid manner, sustaining, I thought, every statement he made by record evidence.

The facts succinctly stated were substantially these. McGarrahan, an Irishman, was a man far advanced in years. When he was a young man he was attracted to California, where he went into business. He soon purchased a Mexican land grant covering many acres, which was regarded as of small value at the time. He was assured that his title was good under the Treaty of Gaudalupe Hidalgo between the United States and Mexico, in which the United States obligated herself to respect and protect all grants of land previously made by Mexico. In the course of time some prospectors discovered valuable silver mines upon McGarrahan's grant, and a mining company was organized, took possession of the mines, and then secured a grant of the lands from the United States. Many black spots appeared in the mode and manner in which the grant was obtained from the United States, and they were pointed out by General Hunton with the boldness and courage that had ever characterized him in the vindication of what he believed to be right.

McGarrahan instituted proceedings to recover his land and to hold this Government to its treaty obligation, but his opponents were strong and powerful—they were coining money from the mines, and could afford to fight and fight with desperation; McGarrahan was single-handed and with little means; the Government gave him no aid, in fact gave him the cold-shoulder.

After exhausting without avail all court remedies, he appealed to Congress, and for years and years he was seeking

justice; but though several reports were made in his favor, he never succeeded in securing the passage of a relief measure, and some years ago, while still fighting and hopeful, but worn out and exhausted, he died suddenly in the Capital of the Nation, to whose authorities he had been appealing for justice from vigorous young manhood to decrepit old age.

General Hunton, his able and faithful counsel, still lives, ripe in years, vigorous in intellect, and bedecked with military and civic honors.

I found my service on the Committee on Commerce agreeable. It had many interesting bills before it. Its chairman was John H. Reagan, of Texas, the Postmaster-General of the Confederacy, and now, at the age of eighty-five years, the sole surviving member of the Cabinet of President Jefferson Davis. When chairman of the committee he was possessed of all his mental faculties, and was an exceedingly strong man. Among the members of the committee were Charles F. Crisp, of Georgia, whom I shall notice more particularly later; William B. Bynum, of Indiana, who attained considerable prominence in the House, and Martin L. Clardy, of Missouri, a man of decided ability and force of character.

Perhaps the most interesting subject before this committee during my membership of it was the Isthmus of Panama Ship Railway Bill, known as "The Ead's Bill." It attracted widespread attention, and the discussions before the Committee were animated and instructive.

The bill provided for the building by the Government of a huge railway across the Isthmus of Panama, of sufficient dimensions and strength to carry the largest vessels of commerce and war vessels from ocean to ocean, a distance of more than a hundred miles. Powerful machinery was to be used in lifting vessels from the waters of one ocean and placing them upon railway trucks and wheels, and then lifting them from the trucks and wheels and setting them afloat in the waters of the other ocean.

Many believed the scheme was feasible and would be of inestimable value to commerce, and to the United States Government in time of war; others regarded it as visionary and impracticable; that it would be hardly possible to construct a railway of sufficient strength to transport such immense vessels, and that accidents were liable to occur and leave a vessel high and dry on land many miles from water with no means of relief, and that the owners of vessels would not trust them on trucks and wheels on a tour overland for a distance of a hundred miles or more; that the expense of constructing the railway would be enormous, for the road bed would have to be as firm as the rock of Gibraltar, and the nature of the soil was treacherous in the extreme. Behind the bill was a powerful lobby, and members had it sounded in their ears on all occasions; a member remarking that he had it dished out to him at breakfast, dinner, and supper for weeks, *ad nauseam*.

Before any decisive action was taken upon the bill the projector of the enterprise died, and interest in it instantly waned, and before long the bill was buried in the Congressional vault of dead schemes.

In the Forty-ninth Congress the seat of Hon. John G. Carlisle, who had been elected by the Democrats Speaker of the House of Representatives for his second term, was contested.

His district was overwhelmingly Democratic; he had been renominated by acclamation; the Republicans made no nomination, and his party, believing there would be no opposition to him, quietly "slept on their oars." On the eve of the election a labor candidate was put in the field, and the Republicans and labor men, who had been quietly organizing, turned out in force, while the Democrats, particularly in the rural sections of the district, not dreaming of opposition, remained at home in immense numbers. The result was that Carlisle won only "by the skin of his teeth," and his majority was so small as to induce the defeated labor candidate to contest his seat.

With this contest on his hands the Speaker declined to appoint the Committee on Elections, and referred the selection of its members to the House. The two parties met in caucus respectively, and each selected its members—the Democrats nine, the Republicans six. Absolutely unsolicited, and in fact to my surprise, the committee appointed by the Democratic caucus to make recommendations, in its report, named me as a member, ranking me second—Crisp being first.

The caucus adopted the committee's report. Of course I appreciated beyond measure the honor, for, as is well known, the committee on Elections is the ranking committee of the House of Representatives. For five terms, or ten years, I was continued on this committee, and, as stated, was the chairman of it the last two terms of my Congressional service, succeeding Crisp. Every member was a lawyer. When I was first appointed on the committee, and for several terms thereafter, partisan feeling ran high, and I regret to say that the committee was not as calm in its consideration and as judicial in its judgment of cases as it has since become. The labor was immense; many records covered as much as twelve hundred pages of closely printed matter, some of them reaching two or three thousand pages.

Among the ablest members at different times, and men who distinguished themselves, were Crisp, of Georgia; Lodge, of Massachusetts, later Senator from his State; Lockwood, of New York; Rowell, of Illinois; Moore, of Texas; Cobb, of Alabama; Johnston, of South Carolina; Greenhalz, of Massachusetts, afterwards Governor of that Commonwealth; Lawson, of Georgia; Painter, of Kentucky, and Brown, of Indiana, who succeeded me as chairman.

Numerous were the contests and variant were the grounds. From mere irregularities in the conduct of the election, or in the returns—to stuffing of ballot-boxes, receiving and counting illegal votes, and refusal of legal votes, intimidating of voters, false swearing, and false returns and frauds of almost every conceivable kind were alleged in

the notices of contest, and the most voluminous depositions in support or denial of the charges were taken, and the whole dumped before the committee, and then argued by the attorneys for the contestants and contestees respectively, often with great force, always with intense vigor. Most of the contests came from the Southern districts, where the negro voting population was large, the contestants always alleging fraud and a conspiracy to deprive "the ebony brother" of his right of franchise.

But there were some noted cases from Northern and Western districts, in which the vote of "the ward of the Nation" cut no figure.

The Carlisle contest gave little trouble, and it was soon settled and the contestee's right to his seat confirmed without the barest suspicion of any wrong.

It has no doubt almost been forgotten that the seat of William McKinley in the Forty-ninth Congress was contested by Jonathan Wallace, and that the man who was afterwards Governor of Ohio and then became the President of the United States, and met his death at the hands of an anarchistic assassin, and whose death was as deeply mourned in the South as in the North, lost his seat in that Congress. But it was simply a question as to the legality of a certain class of voters that were cast for both candidates. The committee held that they were illegal, and in throwing them out it left a small majority for Wallace, and McKinley, the leading apostle of "protection," was compelled to yield his seat to a Democrat, but to return to the next succeeding Congress with a majority that could not be questioned.

It may also have escaped the public memory that James E. Campbell, of Ohio, afterwards Democratic Governor of that State, secured a seat in the Forty-ninth Congress at the end of a successful contest. He contested upon the ground of the reception of the ballots of persons not qualified to vote, and a sufficient number of such ballots were found by the committee to have been cast and counted against him to

give him a majority, after they were deducted from the total returned vote of his opponent.

It was a most remarkable coincidence that these two future Governors of the great State of Ohio should have been involved in contests—the one losing and being unseated, the other winning and being seated.

It will be remembered that in the Fifty-first Congress the tables were turned on the Democrats and the body became Republican, but by a narrow majority, I think of four or five votes, and Thomas B. Reed was elected Speaker.

This Congress was the stormiest in the history of the Government. It was immediately determined by the new Speaker on the organization that the rules should be changed, "so that the House could do business," as he laconically expressed it. The idea was to deprive the minority (the Democrats) of the power to prevent or retard the passage of measures by dilatory means and "filibustering." The Democrats were greatly aroused and excited, for they anticipated the introduction of radical measures, and particularly a "Force Bill," which, if passed, the Southern Democrats believed would mean Federal interference with elections in the South and Federal bayonets at the polls. The Democrats stood in a solid phalanx against the proposed rules; there were also a number of Republicans who looked with disfavor upon the proposition.

The Speaker, with great astuteness, determined to ascertain the names of the disagreeing Republican members, and convert them, if possible; so he had a careful canvass of the whole Republican side made, under the following instructions: Mark opposite the names of opposing members the letter K (meaning kicker), or H. K. (meaning hard kicker), or D. H. K. (meaning d—— hard kicker). The canvass was made and the result reported to him. Upon an inspection of the report he found he could not, as matters stood, risk his rules to the vote of the House. He then directed the Committee on Elections to get to work and see if the Republican majority could not be increased by turning Democrats out and seating Republicans in their stead.



There were very many contests—three from West Virginia alone, and the committee very promptly took up these cases and pushed them with energy. In an incredibly short time two of them, Smith *versus* Jackson and Atkinson *versus* Pendleton, were reported to the House, with the recommendation in each that the Democrat be unseated and the Republican seated.

The case of Smith *versus* Jackson was called up one Friday morning, and the argument ran through that day and the next until about nine o'clock in the night, when, by previous arrangement among the Democratic members of the Committee, I took the floor to make the closing speech for the sitting member, Judge Jackson, and with the understanding that I was to hold the floor and force an adjournment at midnight, if possible, if not, continue on my feet. The blood of both sides of the chamber was at more than fever heat; the Republicans had expressed a determination to seat the contestant before adjournment, and the Democrats were equally determined that the contestee should not be unseated that night. With no rules, and the House governed by general parliamentary law, my time was unlimited and there was no power to take the floor from me.

Realizing that I had in all probability a heavy task before me, after speaking for some time, in order to take a rest and also to kill time, I called a page and sent the testimony to the Clerk of the House to be read. It was a volume of several hundred pages. The Speaker forbade the reading of the depositions by the Clerk, and they were brought back to me. I opened the volume and commenced reading: The Speaker instantly said, "The gentleman from Virginia cannot read that book." I disregarded what he said and continued to read; the Speaker rapped me to order, but I continued to read and the gavel continued to rap. By this time the House was in an uproar and like a bedlam; the Democrats were cheering me and the Republicans were yelling their disapproval of my course.

Finally there was a lull and I said, as near as I can recall the words: "Mr. Speaker, I have the floor and have

the right to occupy it until I voluntarily yield it. I am discussing the right of the contestee to the seat he occupies in this august parliamentary body. In order that the members of this House may vote intelligently upon the merits of this case, they should know the facts, and I propose to lay the facts before them from the lips of the witnesses themselves, making their testimony part of my speech. I am in the exercise of my right, and I intend, Mr. Speaker, to continue to read this testimony until I conclude it, unless I drop from exhaustion."

With this announcement of my intention the cheers and yells again came with greater intensity. I remained on my feet and continued to read, and the gavel continued to descend with giant power.

Finally from about the center of the Republican side a gentleman arose and waved his hand for order. He was recognized at once and a calm fell upon the House. In the most pleasant manner he requested me to suspend for a moment. This I did, with the understanding that it would not interfere with my right to the floor. Addressing the Chair he expressed his surprise at the disorder. Said the members should not forget who they were or where they were. That he could very clearly see the purpose of the "gentleman from Virginia," yet as he had the floor he had the right to use his time as he saw fit, and to read whatever he pleased, so he confined himself to the subject before the House and read what was germane to it. He concluded by appealing for order. His words had magic effect. This man was William McKinley.

As soon as he finished speaking, Crisp asked if I would yield for a motion to adjourn. Of course I yielded, but before the motion was put an agreement was reached to the effect that I should have an hour and a half to conclude my remarks on Monday morning, and that a final vote should be taken not later than six o'clock Monday afternoon.

Then about eleven o'clock the House adjourned, and we had accomplished our purpose—an idle purpose it is true, and simply the result of intense partisan feeling. On Mon-

day morning, in opening my speech, I remarked jocosely that I presumed I had read enough of the evidence in the case to enable the House to vote intelligently, and would not therefore consume valuable time by reading more.

I occupied the time allotted to me; the discussion was closed by a Republican member of the Committee, the vote was taken, Judge Jackson was unseated and Smith was seated, and the Republican majority was increased two votes.

My course, coupled with some criticism of the Speaker in my remarks Monday morning, offended him, and for some days he treated me coolly, but it passed off and we became good friends, and continued so to the end of my Congressional service.

The case of Atkinson *versus* Pendleton followed immediately; Atkinson was seated and a Republican majority of two more was secured.

Thus the process of reducing the Democratic strength and increasing the Republican strength was carried on with rapidity, until the Republican majority had reached a point where the Speaker felt that he could safely trust his new rules to a vote of the House, particularly as all the "kickers" and "hard kickers," and even "d—— hard kickers," with, I think, two or three exceptions, had been induced to take the Speaker's view of matters; so the report of the Committee on Rules was submitted, and after a long and acrimonious debate the report was adopted and the new rules enabling the majority to ride rough-shod at will over the minority became the law of the House. The terms "The Reed Congress" and "Czar Reed" have passed into history.

After the adoption of the new rules the Committee on Elections proceeded more leisurely, and the next contest that created much feeling was that of John R. Langston *versus* Edward C. Venable, from the Fourth Congressional district of Virginia.

The contestant was a colored man, though almost white, highly educated, and intellectually an ornament to his race; the contestee was a prominent and cultured gentleman, of a

noted Virginia family, and an excellent Representative. The Fourth Virginia district had a large majority of colored voters, and whenever that was the case our Republican brethren on the committee were disposed to assume that the district was necessarily a Republican district, and if a Democrat was elected it was, beyond question, in their opinion, the result of fraud.

The management of this case on the floor of the House, in behalf of the contestee, was assigned to me, and while the Democrats had no hope of retaining the contestee in his seat, a Force Bill was awaiting consideration, the session was drawing to a close, and various appropriation bills had to be passed, so it was determined to use this election case to prevent the passage of the Force Bill; that is, to consume so much time that only enough would be left for the discussion and passage of the appropriation bills, thus cutting out the measure the Southern Democrats and the white people of the South generally feared so much.

The tactics of preventing a quorum and of making dilatory motions were resorted to as a means of accomplishing our purpose. The Democrats remained away from the sessions of the House; they went off in groups to unknown places, where they could not be found by the Republican sergeant-at-arms when a call of the House was ordered. I was left as the sole Democratic member on the floor, to make dilatory motions and consume in various ways as much time as possible, and raise the question of "no quorum."

The Republicans could not muster a quorum, and calls of the House were frequent; some of the Democrats who were loitering about the Capitol would come in, answer to their names, and then retire, so that when a vote was taken there would still be "no quorum," and the condition would be the same as it was before the call; whenever the roll was called on a motion I would simply respond to the announcement of the result by the clerk, "No quorum, Mr. Speaker."

This "marching up the hill and marching down again" continued for days; a motion to adjourn would be made

and carried sometimes early, sometimes late in the day. Many Republican members were absent from the city, and the wires were kept busy with peremptory orders for them to return to their seats. Finally the Speaker succeeded in securing a quorum and the vote was taken, and Mr. Venable was unseated by the vote of every Republican member. But the Democrats had scored a victory by staving off the consideration of the Force Bill, and in fact killing it for all time.

During this struggle two things occurred about which much was said. One day the Speaker ordered the door used for members to enter or retire by, which had always been left unfastened when there was a call of the House, to be locked; so that Democrats who entered the hall to answer to their names could not retire after answering, as they had been doing. Hon. Constantine Buckley Kilgore, a stalwart Texas representative, and one of the most genial and popular men in the body, answered to his name on the call, and immediately went to the door which I have mentioned, but found it fastened. Turning to the doorkeeper he said, "What's the matter with this door?" The doorkeeper replied, "It is locked; the Speaker directed it to be locked." "Locked," said Kilgore; "well, I will unlock it," so he raised his foot and with his number nine heel he kicked the door open and went his way. There was no more locking of that door.

On another day during this contest a photographer was sent into the gallery and a photograph of the House was taken. It showed the Speaker in the chair, the clerks at their desks, the other officers at their respective posts, the Republican members in their seats, and a solitary Democrat (myself) in his seat. It was labeled:

"Second Democratic Secession from the Union."

On the back was an explanation of the picture from a Republican view point.

The Democrats were represented as having left the hall to prevent the transaction of business, and with neglecting their duties, and referring to me as "a rebel" left by the

Democrats to raise points of order and make dilatory motions to consume time which the country demanded should be devoted to the interests and welfare of the Republic. This photograph, in large form, was circulated as a Republican document in the next campaign, and I have a copy of it well preserved.

Before concluding as to the Fifty-first, or "Reed" Congress, I want to put on record my estimate of Thomas B. Reed. He was an intellectual giant; a man of stupendous will-power, a born leader of men. He was among the strongest debaters I have ever heard. In "a cut and come," thrust and parry, running debate I have never heard his superior. His sarcasm was biting, his invective was terrific. He had much wit, and used it with great effect. He was an extreme partisan, but with it all he had a big heart and most generous impulses. In his death the country sustained a heavy loss.

## CHAPTER VII

### SOME NOTABLE CONTESTED ELECTION CASES.

The Democrats in Power Again—Crisp Elected Speaker—Dawning of the Day of Recognition of the South—Reed's Desire as to Democratic Speakership—I am made Chairman of Committee on Elections—The Celebrated Case of Noyes *versus* Rockwell—The Facts—The Origin of "Where am I at"—Bourke Cochran's Speech for Rockwell—My Reply and the Effect of a Happy Anecdote—Old John Robinson's Plan to Carry an Election—The Case of Waddill *versus* Wise.

The Democrats returned to power in the House of Representatives in the Fifty-second Congress, with a majority of over forty. Many candidates appeared for the high prize of Speakership. Those who remained to the end were Roger Q. Mills, of Texas; Charles F. Crisp, of Georgia; Benton McMillin, of Tennessee; William M. Springer, of Illinois, and William H. Hatch, of Missouri.

Crisp and I had entered Congress together; he had been a lieutenant in the Tenth Virginia Infantry—a Page County company, and I had heard much of him during the war; we were members of the same committees for years, and we had become close and fast friends. I had seen him tried in many ways, and he had always measured up to the full standard of exalted manhood. I recognized his great ability, cool head, and fine judgment. He had made a splendid reputation as chairman of the Committee on Elections, and in many contests on the floor with the ablest and best. I espoused his cause from the start, and rejoiced when he won the prize.

When the caucus met on Saturday night preceding the Monday fixed for the meeting of the House, on the first roll call the candidates, in point of strength, stood in the following order: Crisp, Mills, McMillan, Springer, and Hatch. Crisp led Mills about fourteen votes, but during the evening McMillan and Hatch were withdrawn, and Crisp's

lead over Mills was reduced to four votes. An adjournment was then taken until Monday night. Everybody recognized as a fact that the nominee would be either Crisp or Mills, and that the friends of Springer could name the next Speaker.

Crisp had selected the astute and diplomatic Catchings, of Mississippi, the alert, energetic and prudent Montgomery, of Kentucky, and myself to look after his interests and conduct his fight, but we took counsel constantly of him, and he proved himself to be a leader of remarkable skill.

Early in the contest we found there was friction between Mills and Springer, and it grew each day. Crisp and his friends sympathized with Springer, believing that he was being unjustly treated.

Monday night came and the caucus met. The voting commenced with Crisp still leading. Various roll calls developed no change. About ten o'clock a recess was taken, and just before the caucus reconvened we received at Crisp's headquarters direct and authentic information that Springer would withdraw his own name, vote for Crisp, and carry his strength, as far as possible, to Crisp. This lifted a mighty weight from our spirits, and we could see Crisp's star fast ascending. Springer held the balance of power; we knew there were some of his friends who held Crisp as their second choice, and if Springer could swing a good number of his devoted followers to the Georgia statesman, Crisp's success was assured; this we confidently believed Springer could do. With buoyant hearts Catchings, Montgomery, and I went among Crisp's friends and whispered the cheering news into their ears, strengthening the weak-kneed and rendering firmer the steadfast. The recess ended and the members took their seats and the voting was resumed; the first call of the roll showed no change, until the call was over, when a prominent Southerner, who had been supporting Crisp, sprang to his feet and changed his vote from Crisp to Mills; instantly he was surrounded by friends of Crisp, begging him to stand firm, "as he had done on many a fiery field," and before the result could be announced



he changed his vote back to Crisp, and the status quo was preserved. Then came the second and last call; the climax was at hand.

Before many members had responded the tall and erect figure of Springer was seen entering the hall. With beaming face and bold stride he advanced to the center of the south side of the chamber and stood until his name was called. Silence reigned. After thanking his friends for their support, he withdrew his name, and said, "Mr. Chairman, it is with unfeigned pleasure I cast my vote for Charles F. Crisp, of Georgia."

Cheer after cheer resounded throughout the chamber, and the corridors rang with huzzas for Crisp; then the friends of Springer, as their names were called, responded "Crisp," and when the call was finished the Springer men who had voted for him before his withdrawal changed their votes for Crisp, with some exceptions, among them William Jennings Bryan, who preferred a man who was not a candidate to either of the gentlemen in the field, both being from the South. He adhered to Springer to the last. Crisp's majority I think exceeded twenty.

The result of this contest brought the dawning of the day of recognition of the South's coequal right in all the affairs of the Nation. A Southern man and an ex-Confederate soldier was selected to preside over the House of Representatives of the Republic. The nomination of Crisp by the votes of Northern men and ex-Union soldiers, as well as Southern men and ex-Confederate soldiers, broke down the barrier that had been set up against men of Southern birth, lineage, raising and citizenship holding high and important National positions unless conferred by their respective States. Crisp was the first man who had worn the gray or sympathized with the South to be elected Speaker, since R. M. T. Hunter, of Virginia, graced the position prior to the internecine strife. Speaker Carlisle, while a Kentuckian, was neither a Confederate soldier nor a sympathizer with the cause of secession. He took the test oath,

which he could not have done if his sympathies had not been with the Union in the bloody era of 1861-65.

The installation of Crisp and the placing of the Speaker's gavel and mace in his hands constituted the beginning of a bright epoch in our history, and was like a rainbow in Southern skies, betokening clearer weather after so many years of lowering clouds.

Mills's service in Congress far exceeded in length the service of Crisp; in fact Crisp's Congressional experience in point of time was less than that of any of the candidates. His election then was, indeed, a magnificent triumph, and so ably, worthily and acceptably did he wear his honors through the Fifty-second Congress that he was renominated without a shadow of opposition in the Fifty-third Congress, and but for his untimely death his name and fame would have become brighter and brighter as the succeeding years had rolled their cycles. He was an ornament, not only to his State, but to the whole country, and by his successful career he exemplified in the highest degree the possibilities which our form of government and the character of our institutions present to the youth of our land.

The ability of all the candidates for Speaker was beyond question, but none of them had the combined qualities of ability, temperament, judgment, diplomacy and industry in so marked a degree as Crisp.

Before the Democratic caucus of the Fifty-second Congress met it was said that Thomas B. Reed entered a room at Chamberlain's, where a number of Republican members were whiling away an evening in social intercourse, intermixed with some politics, and he was asked who would be the Democratic nominee for Speaker. He replied, "I have not been in the rebel camp, and don't know what they will do; but ——— is the man I want them to select, for if he is put in the Speaker's chair, I flatter myself I can make him fling his gavel at my head once a day, at least, while the session lasts."

He referred to a certain candidate who, though a gentleman of superb ability, was very impulsive and quick-tem-

pered. It is only necessary to say that the Maine statesman did not get his choice, and that as able as he was, and as irritating as he often was, he never succeeded in gaining any advantage over the Speaker who succeeded him.

It goes without saying that all of the five aspirants for Speakership honors in the Fifty-second Congress were high and true men, and adorned their seats. Mills was sent to the United States Senate; McMillin became Governor of his State, and Springer was appointed to a judgeship in one of the Territories. Alas! To-day only Mills and McMillin are living; the others have passed over the river, but they left their marks deeply chiselled in their country's memory. Hatch was the assistant commissioner of the Confederate States for the exchange of prisoners, with his headquarters at Richmond, the Capital of the Confederacy during the war.

When the committees of the Fifty-second Congress were formed I was made chairman of the Committee on Elections, and I was re-appointed to this position in the Fifty-third Congress.

There was less party rancor and partisan feeling displayed by these two committees than by previous ones. Every member seemed to realize that it was high time for contested election cases to be calmly and dispassionately considered, judged, and determined upon their merits. While I had never done violence to my conscience in any case, I fear I was not an entirely cool, calm, and unbiased judge, for I may have been warped to some extent at times by my party sympathies. In assuming the duties of chairman I resolved that I would act the part of a just and impartial judge to the very best of my ability, and this resolution I endeavored to keep with absolute sincerity.

In writing of the work of these committees I can not fail to give briefly the details of a case which attracted widespread attention, and will long be remembered by reason of the prominent connection of certain gentlemen of National reputation with it. The papers of the country were filled with it, and its discussion on the floor of Con-

gress lasted for four days, drawing immense crowds to the Capitol. It was the case of Noyes *versus* Rockwell, from the Buffalo district, State of New York, and in which David B. Hill, Bourke Cochran, John R. Fellows, and General Wheeler figured conspicuously, and in which the expression "Where am I at, Mr. Speaker," which has become famous, was used.

Succinctly stated, the facts were as follows: Noyes had been the Republican and Rockwell the Democratic candidate. The returns showed a very small majority for Rockwell. Noyes attacked the returns in the courts, won his point there, entitling him to the seat; but pending the proceedings the Board of Canvassers issued a certificate of election to Rockwell, and compelled Noyes to serve his notice of contest; Rockwell answered, and depositions were taken. When the roll of members was prepared by the clerk of the House, Rockwell holding the certificate of election, his name was placed upon the roll.

The consideration of the contest came on in due time in the committee, and after elaborate argument the committee, by a vote of eleven (five Democrats and six Republicans) to three (all Democrats) decided that Noyes was entitled to the seat. The fifteenth member, a Democrat (Hon. Daniel N. Lockwood) from the Thirty-second New York district, declined to vote. The majority directed me to prepare the report of the Committee awarding the seat to Noyes, which I did. A minority report was prepared by the three dissenting Democratic members, Messrs. Cobb, of Alabama; Johnston, of South Carolina, and Gillespie, of Pennsylvania. In a short time the case was called up on the floor of the House for consideration. Judge Lawson, of Georgia, a Democrat, a splendid lawyer, made the opening speech in behalf of Noyes, the contestant; he was followed by Judge Cobb, a Democrat, in a speech of four hours in behalf of Rockwell, the contestee. For two hours Cobb spoke with power; then his physical strength seemed to wane, but with great tenacity he continued until he had consumed his time, then dropped into his seat, perfectly exhausted. He was

frequently interrupted by questions, and at the end of one of these interruptions, in his weak physical condition his mind refused to act for the moment and he could not catch up the thread of his speech, so in a half-dazed condition he gazed for an instant at the Speaker, and said, "Will you tell me where I am at, Mr. Speaker." Everybody realized his exhausted condition and that his mind simply became inert for an instant, and nothing was thought of the remark. I was sitting within ten feet of him, listening to every word that fell from his lips, for I had to reply to him. In less than a minute his mental faculties became active, he took up the argument where he had left it when he was interrupted, and continued to speak until his allotted time had been consumed.

A short time after this episode, Hon. Thomas S. Watson, of Georgia, undertook to attack the personnel of the House of Representatives, charging dissipation and drunkenness, and pointed out the condition and remark of Judge Cobb as evidence sustaining the charge. I regarded the general charge as unjust and unfounded, and his allusion to Judge Cobb as unjustifiable and cruel.

Judge Cobb demanded an investigation, and the committee, after hearing all the evidence, promptly acquitted him of the charge. But Watson had spread the expression, "Will you tell me where I am at, Mr. Speaker," everywhere, and thousands of times it has been repeated. I have given space to this explanation of the origin of the saying that I might vindicate Judge Cobb and enter my denial of the allegation made against him.

Now recurring to the discussion. Cobb was followed by other members pro and con, until the morning of the fourth day was reached. Then came John R. Fellows and Bourke Cochran to close the discussion for the contestee, and "take the House by storm," as the contestee's friends expressed it. Fellows, in a most graceful, ornate, beautiful and rhythmic speech, occupied the floor for an hour. But it was not a speech in which either the facts or the law of the case was discussed. It delighted the ear and made the blood tingle,

but it gave no food for thought; in fact, he admitted he had not read the record and had only glanced over the reports. Still I could see that his eloquence and appeals to partisan feeling had made an impression.

Then came Bourke Cochran, powerful in physique, strong in voice, flowing in words, eloquent in language, graceful in gesture, and herculean in hurling his mighty bolts of invective. For an hour he criticised the Democratic members of the Committee who had voted to seat a Republican, lashed and thrashed me with his tongue for making a report unseating a Democrat, and appealed to Democrats to stand by the contestee and keep him in his seat. He closed amid great applause, and took his seat with a look of supreme satisfaction upon his face.

His speech had surprised me, first by his attack on Democratic committeemen who had the courage of their convictions, when he had only a short time before made a pilgrimage from New York, after a long absence from his seat, to make a speech in favor of a Republican against whom the committee had reported, and secondly his severe criticism and condemnation of myself, which was nearly personal.


I rose to reply. Those around me said I was cool and self-possessed, but I felt the fire in my brain and the hot blood in my veins; I felt the fast heart-beats in my breast and the emotions of chagrin and displeasure that filled my soul. Still, I concealed all as best I could, and put on the appearance of coolness as far as possible. My audience was as large and grand as ever before or since filled the Congressional Hall. The people were packed, jammed and crammed in the galleries, and the floor was filled almost to overflowing. I realized the House was almost under a charm produced by the speeches of the two distinguished New York representatives, and that I must say something to break the charm and get my hearers to think of the substance of the speeches and not simply their beauty and eloquence, their invective and sarcasm. Fortunately for me, just before I arose a story I had heard occurred to me and I concluded to try it in opening my reply to Cochran.

Addressing the chair I said:

"I hope we shall now have a calm after the equinoctial storm which has just swept over the House, uprooting reason, dethroning thought, and tearing into tatters the great fundamental principle that the high privilege of a seat on this floor should be determined by the law and the facts, and not by partisan bias and prejudice.

"The distinguished gentleman from New York who has just addressed the House, with much apparent satisfaction to himself, reminds me of the story of a fellow who was traveling through a very sparsely settled section of the West, when night overtook him in a thick forest, a great storm came up, the heavens were as black as ink, the darkness was as dense as Erebus; the thunder peals were deafening and terrifying, and he could only see his way by an occasional flash of lightning. He was frightened almost to death. Directly a terrible clap of thunder came, and the fellow dropped to his knees, and looking up into the black clouds above he exclaimed, 'O Good and Merciful God! if it makes no difference to your Holy Majesty, I would like to have more light and not so much noise.'"

Never did a story take better. It acted like magic. In an instant the House and galleries caught the point, and they broke out with thundering applause, and in spite of the Speaker's gavel it continued, dying down and breaking out repeatedly for some minutes; shouts and laughter came from all quarters. The spell was broken, and the hearers were brought to think, and to mentally ask themselves the question, "What did he say about the case? Wasn't it all noise and no light?" It is with reluctance that I have referred to this occurrence, but the story has been so often published, and I have been asked and even written to about it so frequently, that I put it in these reminiscences. I do not do it in disparagement of Mr. Cochran, for I regard him as an exceedingly able and brainy man, but in this instance I think he made a mistake and presumed too much upon his oratorical powers. His speech was strong of its kind, but it was not the kind the occasion demanded. He



was not informed as to the facts, and really made little reference to them.

This was the most successful hit of my life, and I have always thanked my stars for directing my mind to the story.

During my four hours' speech I was repeatedly interrupted and plied with questions, but it was usually by gentlemen who knew nothing of the facts, while I necessarily knew them all, and I had no difficulty in answering those who really wanted information, and in answering others according to their folly.

In the heat of my argument I made a retort to an interruption of a gentleman who I thought was endeavoring to confuse or embarrass me in my remarks, which I have always regretted. While it was entirely within parliamentary bounds, there was too much pepper in it. I shall not repeat it here, and I only refer to it to express my regret. The gentleman had been my friend, and is now, I am happy to say—our friendly relations having been restored by my apology, which I think is always the manly thing to do when you find you have improperly, unnecessarily, or hastily given offense.

Elections have no doubt in many instances been carried by fraud, tricks and devices of different kinds. They have been carried by stuffing ballot-boxes, by false counting, by the reception of illegal votes and the refusal of legal votes; but the plan adopted by old John Robinson, of circus fame, has never had its counterpart, and it was a fair and square deal between him and the voters.

The Fourth Alabama district had a large majority of colored voters, still the Democrats concluded to make an effort to carry it. They made a nomination; the Republicans had a split in their convention, resulting in two Republican candidates; so there was a triangular fight, one Democrat and two Republicans. Near the close of the canvass John Robinson's circus appeared in several of the counties of the district. The old fellow was "a Democrat from way back," as he expressed it, so he conceived the idea that he might aid the Democrats.



He made inquiry as to the law on the subject of voting. He was told that in order to vote a man must register and receive his registration certificate, and present this certificate at the polls; that without this paper he could not vote. The old man said nothing, but he acted instantly. He directed his agents to let the colored voters know that they could see his show without paying any money—all he would require would be the delivery of their registration certificates to his agents at the door of the tent. The news spread like wildfire, and from far and near the colored voters flocked to the show at every place the tents were pitched, with their registration certificates in their pockets, and when the door was opened in they rushed, handing their certificates, instead of circus tickets, to the doorkeepers. They saw the show without money, but when the day of election came they found they had voluntarily and of their own accord, though ignorantly of course, disfranchised themselves. Esau sold his birthright for a mess of pottage; they had sold their muniment of suffrage to see the circus.

Duplicate certificates could not be issued, for under the law a duplicate could only be given when the original had been lost or mislaid. These certificates had neither been lost nor mislaid.

The John Robinson plan proved to be most effective; the Democratic candidate was elected, and though a contest was made, he held his seat.

There is another contested election case to which I shall refer, and then pass to some other subject.

It is the case of Edmund Waddill *versus* George D. Wise, from the Third, or Richmond, District of Virginia. Wise, the sitting member, was a Democrat, and had served several terms; Waddill, the contestant, was a Republican. Both had hosts of personal friends and both stood high in the esteem of their respective parties. The contest was waged principally upon the ground that many Republican voters were prevented from casting their ballots by the unwarranted dilatory tactics of the Democratic officials and challengers.

In the city of Richmond the colored vote was very large in a particular ward, and many of these colored voters bore illustrious names. There were hosts of George Washingtons, Thomas Jeffersons, James Madisons, James Monroes, Andrew Jacksons, Patrick Henrys, John Tylers, Henry Clays, Benjamin Harrisons, and scores of others in which a few names would cover them all. When George Washington, for instance, would appear at the polling place his vote would be challenged and much time consumed in ascertaining to the satisfaction of the election officers what George Washington he was, and numerous questions propounded as to his residence, place and time of birth, his occupation, for whom he had worked, and then his right to vote would be discussed at length, and thus frequently a half hour or longer would be consumed before his ballot would be deposited. In this way the sun set upon the heads of many a colored voter who had for hours been standing in line with his uncast ballot in hand. The Democrats justified their course upon the ground that the colored voter was hard to identify, and that it was necessary to prevent fraudulent voting and have a fair election.

The members of the committee divided on party lines in the contest, but the majority being Republicans, a report favoring the seating of the contestant was presented to the House, followed by a minority report finding that the contestee had been duly elected and was entitled to the seat. The majority report was adopted and the contestant seated. This case was fought with spirit on both sides.

Fifteen years have passed since this contest. Both of the parties to it are still living in Richmond, the storm-center of their battle of ballots; passion has cooled; party rancor has passed away; angry disputes are no longer heard; opprobrious political epithets no longer offend.

The contestant and contestee, while still differing on party lines, are friends. The former, Honorable Edmund Waddill, fills, and has filled for years, the position of United States District Judge of the Eastern District of Virginia, with such ability, fairness, fearlessness, urbanity, and kind-

ness as to draw to him, not only the respect and confidence, but the esteem and love of the entire bar of his district. The contestee is prosecuting his profession as a lawyer with ability and success, while he counts his friends all around him by the thousands. As a representative of the Richmond district in Congress, he was as

"True as the needle to the pole,  
Or the dial to the sun."

No district was ever more faithfully represented than was the Third Congressional district of Virginia by him. I speak whereof I know.

## CHAPTER VIII


### INCIDENTS OF THE FIFTY-SECOND CONGRESS.

The Occasion of a Long "Deadlock"—The Direct Tax Bill—The French Spoliation Claims—William S. Holman, the "Watch-dog of the Treasury"—Pension Bills—The Number of United States Pensioners Double the Number of Confederate Soldiers on the Rolls During the War—The "Dependent Pension Bill"—Vetoed by President Cleveland.

The longest "deadlock" during my Congressional service, except in the Langston-Venable contested election case, was in the Fifty-second Congress, when the bill known as "The Direct Tax Bill" was under consideration.

Under Section 8 of Article I of the Federal Constitution Congress is authorized to lay and collect taxes, but during the history of the Government a direct tax, that is, a tax on real estate, has been laid but five times—in 1798, 1813, 1815, 1816, and 1861. The last time was during the War between the States, when a direct tax of \$20,000,000 was levied, to be proportionately assessed against all lots of ground with their improvements and dwelling houses.

The Direct Tax Bill to which I have referred provided for the refunding of \$15,000,000 of the \$20,000,000 to the persons who paid it if living, if not to their heirs, and where neither a person who had paid it nor his heirs could be found, the amount due him was to be appropriated by the State in which he lived at the time of payment as it might deem proper. Many Virginians in certain sections of the State had been compelled to pay this tax; my district, by reason of the high values of its lands and its proximity to the Federal Capital, had paid a larger proportion of Virginia's whole. My constituents, or many of them at least, were deeply interested in the passage of the bill, and of course I was supporting it warmly. The Cotton States Representatives insisted upon an amendment, providing for the refunding of the cotton tax which had been levied and a large




sum collected upon it during the war, as well as the refunding of the direct tax; this amendment was strenuously opposed by the friends of the bill; they argued that the cotton tax was not paid by the planter, that it was added to the price of the product when it was sold to the manufacturer, and the manufacturer got it back when he sold the manufactured article to the consumer, and that the consumer, not the planter, actually paid the tax; but that the direct taxpayer paid the tax out of his own pocket directly into the coffers of the Government; that one bore no analogy to the other.

A filibustering movement against the bill was inaugurated under the leadership of William C. Oates, of Alabama, an able, bold, and untiring fighter, and for several days and nights the House was in continuous session. Finally an adjournment was had to give the members an opportunity to get a night's rest; a Democratic caucus was held, and after much discussion it was agreed that the bill should go over to the next or short session, to be called up a day fixed in the caucus resolution, discussed for a given time, and then a vote taken without dilatory motions.

In the next session the caucus resolution was carried out, and the bill passed the House without amendment, was sent to the Senate, where it was passed also, and was signed by the President and became a law on the 2d of March, 1901. Virginia's proportion of the \$15,000,000, amounting to a large sum, was turned over to the Governor, and under his directions disbursed to the various persons who had paid this tax, or to their heirs, as far as claims were made, and then the residue, for which there were no claimants, was by act of the legislature distributed equitably among the counties, where the claimants who could not be found had lived, and the fund was used by these counties for public road purposes.


Far back in the history of this government, about 1800, in fact, American commerce became a prey to French cruisers.



The United States asserted a claim against France for her citizens who had suffered by the wrongful seizure of their vessels and cargoes on the high seas. France presented a counter-claim against the United States as a government for damages sustained by the French government by the failure of the United States to exercise close vigilance over the belligerent rights and the treaty stipulations between the two nations and the warring European powers.

Ultimately the United States offered to withdraw the claim of her citizens against France if France would withdraw her claim against the United States. France accepted the proposition, and thus our government relieved herself of her obligation by surrendering the claims of her citizens. In a word, she paid her own debt with the private claims of her citizens against France.

In equity and justice, by her act, she assumed and became liable to her citizens whose claims she had used in settling her own debt. From that day forward the French Spoliation Claims were pressed upon the attention of Congress, but for decades they were fought and combated, until in 1885 an act was passed and approved, authorizing the claimants to apply to the Court of Claims for adjudication of their claims. Judgments have been rendered by this court upon many of these claims, and appropriations have been made to pay them, but always for much less than the claims and without interest. But through lapse of time, death of claimants, and loss of papers and evidence, just claims amounting to millions will be lost, and this great government will profit by her unjustifiable procrastination and delay, and in turning a deaf ear for so many weary years to the appeals for adjustment and payment. As just stated, no interest has been allowed upon the claims which have been paid; the Government never pays interest, except upon her bonds, in which the payment of interest is expressly stipulated. In this case she used these claims as money to satisfy a claim against herself, and then refused for three-quarters of a century or more to settle with the claimants, and when she



finally settled some, she reduced the claims, and declined to pay any interest upon them.

Among the ablest and most persistent opponents of the payment of the French Spoliation Claims was Hon. William S. Holman, of Indiana. He had been in Congress continuously from the Thirty-sixth Congress.

From study and by absorption he was perhaps the best informed representative on the floor upon matters of general public interest that had been before Congress during the preceding fifty years. His memory was wonderful, and his mind was literally a storehouse of legislative facts and events. For years he played the role of "General Objector," a necessary role to be assumed by some one in every legislative body, and he who plays it well and judiciously in the House of Representatives deserves the people's gratitude, for he saves the public treasury from the unjust payment of many a dollar, particularly toward the close of a session, when the rules are set aside and bills are passed under whip and spur.

About the Fiftieth Congress, however, he tired of the burden and cares of the position of "General Objector," and his mantle, worn so long and well, fell upon the shoulders of Hon. Constantine B. Kilgore, of Texas, of whom mention has been made in another connection. By his vigilance in guarding the exchequer of the Government for many years, Mr. Holman had been styled the "Watch-dog of the Treasury," a term, so far as my reading has gone, that was first applied, back in the fifties of the last century, to "Honest John Letcher," of Virginia, and who was afterwards Governor of his State.

But there were occasions when Mr. Holman would be found, it is said, dropping his role of "General Objector," or "Watch-dog of the Treasury," and such an occasion would come when a bill was called carrying an appropriation for the benefit of Indiana, such as the construction of a public building, or for the relief of some citizen of the Hoosier State, then he was silent. So one day, when he was referred to as the "Watch-dog of the Treasury," some

member replied, "Yes, he has a peculiar characteristic of a watch-dog, he barks at everybody except home-folks."

But William S. Holman was a man of ability, untiring energy, and incorruptible character, a fine debater and a most stubborn fighter; but like all men, he was not always right, and in my humble opinion his judgment in regard to the justice and equity of the French Spoliation Claims was greatly at fault.

While he was usually a very sedate man, he had quite a vein of humor. A certain gentleman had greatly pleased the House with a witty speech, and after that he was constantly endeavoring to make another hit on that line, until he became rather a bore. So one evening he was engaged in an attempt to elicit applause by his witticism, but to no avail; passing Mr. Holman, who was looking intently at the speaker, I said, "What do you think of him?" He replied, "He reminds me of a little boy who has just found out he could spin a top; he is always at it."

During my entire service in Congress I did not vote against a single bill to pension a Federal veteran unless I believed it lacked merit, and then I did not hesitate. It was my opinion that every government should care for and save from penury or want its materially-disabled and dependent soldiers, and while every pension bill drew from the people of the South millions of dollars, with no return, yet such was the fortune of war, and the vanquished must bear with patience and composure the burden imposed.

But Congress was far too lavish in its pension expenditures, and so many improper pensions were issued that the conferring of one could not be taken, even *prima facie*, as a "badge of honor." It was a fact so generally known that a large percentage of the pensioners obtained their pensions through fraud, favoritism, or political influence and held them unworthily, as to cast a suspicion upon all, for there was no means of picking out the just from the unjust, or separating the worthy from the unworthy. It was also a significant fact that the number of United States pensioners about doubled the entire number of Confederate soldiers on



the Confederate rolls during the four years of war, showing that if the pensions were worthily bestowed, the bullets of the Confederates did far more havoc in the ranks of the Federals than the reports of the Federal generals disclosed after the battles, making all due allowance for mistakes and haste. While, as I have said, every government should grant pensions to its maimed, disabled, and dependent soldiers, it was always a source of supreme pride with me that there were so few Confederate soldiers who did not succeed in earning a livelihood by their own indomitable spirit and superb manhood. They were compelled to rely upon their own labor and energy, and they went to work like true men with brains and muscles, nerve and determination, and from the ashes, wrecks and ruins, devastation and desolation left by the cruel hand of war their stricken land soon began to recuperate and recover, smile and blossom with returned prosperity.

I do not think I am exceeding the bounds of propriety when I declare that there were many Northern representatives, some of them gallant Union veterans, who disapproved of the wholesale manner in which pensions were granted, but behind every bill was the vote of a soldier and the votes of his kinsmen and all pension applicants in a representative's district. They constituted potential factors in an election, and to vote against a bill reported by the pension committee was to sound the death knell to the representative's political aspirations.

I regarded the "Dependent Pension Bill" in its provisions as radically wrong in principle. It gave, for instance, to every dependent father of a soldier killed in battle the right to a pension regardless of circumstances. This bill was opposed upon the floor of Congress by General Edward S. Bragg, of Wisconsin, who commanded in the Federal Army the brigade known as the "Iron Brigade," which stood in the estimation of the Union army of the West very much as the "Stonewall Brigade" was held in the estimation of the Confederate armies. With a boldness and fearlessness that was admirable, this distinguished Union general, with

his splendid eye sparkling with animation, and a voice that could be heard distinctly in the most remote part of the chamber, rained a perfect torrent of objections upon the indefensible provisions of the bill.

He referred to a recreant husband and father who had deserted his wife and baby-boy in its swaddlings. The wife struggled on for years and died; the boy grew up, and when the war came on entered the Union Army and was killed. This father was never heard of until the Dependent Pension Bill was offered, then he disclosed his place of residence, and began to gather evidence that he was the father of the dead young soldier, and was eagerly waiting to file his application for a pension as the dependent father of the boy he had deserted before the child could lisp his miserable name. And," said the General, "he will get his pension under this bill; he is simply waiting with mouth open for its passage."

But strong as was the opposition, the bill passed the House and then the Senate, but it met its death at the hands of President Cleveland, by an able, bold, and unanswerable veto message. By no act during his incumbency did President Cleveland display the courage of his convictions more conspicuously than in putting the stamp of his disapproval upon this bill. He proved himself to be a statesman without guile and a patriot without selfishness.

## CHAPTER IX

### THE TARIFF, FREE SILVER, ETC.

Protection Discussed Until a Thread-bare Subject—The Morrison Tariff Bill the First Measure I Vote for—The South's Obligation to Mr. Randall—"Tariff for Revenue Only" the Slogan of the Democratic Party in 1885—The Most Notable Speeches on the Subject of the Tariff—The Rise of the Silver Question—The Silverites Become Aggressive After the Repeal of the Purchase Clause in 1893—Mr. Bryan's Intention to Stump Virginia Against me—The "Danville Riot" of 1885—Its Discussion in Congress—The Internal Revenue Tax—"Moonshiners."

From the day I entered Congress until I left it, a period of twelve years, the discussion of protection, free trade, tariff for revenue and reciprocity never ceased, except for brief periods. If ever subjects were threshed thread-bare, these were, and if this country is not fully conversant with them it surely is not the fault of the members of Congress from 1882 to 1894. The speeches would fill, if gathered together, very many volumes of the Congressional Record, and they were spread in pamphlet form over the country as thick as the leaves of autumn.

They were as variant in style as the glasses of a kaleidoscope in colors. Some were strong and logical, some forceful and cogent, some eloquent and beautiful, some frothy and vapory, and some humorous and witty. The members, with few exceptions, felt it was incumbent upon them to put their views on record, and if they were not speakers, or failed to secure recognition and time, they would ask "leave to print," and their views would be put in cold type in the Congressional Record. Certain night sessions were set apart for tariff speeches only, and many a good speech was made to empty seats on the floor, but generally to a pretty full gallery.

There is no legislative subject that attracts the attention of the people more than the subject of taxation. Touch the

pocket nerve of a man and you are mighty apt to stir and arouse his sensibilities.

Of course, we heard all about the origin of the word tariff; that it had been handed down by tradition, as having originated from the custom of the Moorish chiefs in demanding tribute from all vessels that passed through the straits of Gibraltar at or near the town of Tarifa, in Spain. We were told of the tariff of the Greeks and Romans, and the early English tariffs of nearly a thousand years ago and the later tariffs of Great Britain, and of their abolition about the middle of the last century. We were also told of the various tariff measures of the United States. The tariff of eight per cent on imports by the first Congress, which Washington favored, but which was raised somewhat to satisfy Virginia; the tariff of 1816 of about twenty-three per cent upon certain manufactured articles, to which the Southern States objected; of the first attempt in 1828 to levy a protective tariff of forty-one per cent and the opposition raised to it by the States of the South, and the compromise that followed; of the tariff for protection of 1842, which was vetoed by President Tyler; the tariff for revenue of 1846, the average being twenty-five per cent; the tariff still for revenue of 1857 of twenty per cent; the Morrill Tariff Act of 1861, containing an assertion of the right to levy customs duties for protection and not revenue only; and we were carried through all the vibrations and changes of rates during the War between the States, or "The War of the Rebellion," as some of our Republican brethren termed the struggle. Every member after a while was a walking encyclopedia of tariff statistics and information, if he had anything like a retentive memory.

The Morrison Tariff Bill of the Forty-eighth Congress provided for a general horizontal cut of import duties. It was opposed by several strong Democratic members, among them Hon. Samuel J. Randall, of Pennsylvania, as grand a man in all the attributes of manhood as ever graced the Congressional Halls. He was a fine parliamentarian, a most direct and effective speaker, a leader of great astuteness and

force, cool under all circumstances, and fought always to the last ditch. He represented a district in which the protection sentiment was predominant, and he did not believe the question of tariff should be made a party issue by the Democrats.

He contested every inch of ground, and only yielded when the bill was passed. But while Mr. Randall did not agree with his party on this issue, in all other party matters he was as straight-laced as the most orthodox, and to gain an advantage in this struggle over the Morrison Bill he could not be induced to delay action upon my contested election case. On the day before the vote was to be taken on the bill my case was called for consideration, and although he knew that if seated, as I certainly would be, I would cast my vote for the bill, he refused to interfere, saying that I was entitled to the seat for which I was contesting, that I had already been kept out of it too long, and that he would vote to seat me, even if I could vote a dozen times for the bill.

I was seated, and on the next day cast my vote for the Morrison Bill, but with deep regrets that my first vote should be against the position of him to whom the South owed a debt of gratitude she could never pay. And just here, though a little out of place at this point, I will explain why the South was under an obligation of such magnitude to Randall. Only a few Congresses back the South was stirred from center to circumference by the determination of the Republican party to drive through Congress a "Force Bill," placing her Federal elections under Federal control, which meant negro and carpetbagger domination, and Federal bayonets at the polls. In this never-to-be-forgotten struggle on the floor this iron-jawed and resolute man had fought with the strength of a Hercules, the courage of a lion, and the fierceness of a tiger; that dangerous and unjust measure, for days and nights, until the clock's dial pointed to the midnight hour, the last hour of the session, when the gavel of Speaker Blaine fell and he declared that the Congress stood adjourned *sine die* under the Constitution and laws of the

land. Without sleep or rest for, I think, seventy-two consecutive hours, Randall had remained at his post, with his soul swelling with a determination to maintain the sovereignty of the States and the guaranteed rights of the people, to protect the ballot-box from interference by Federal sa-traps, and the voters from intimidation by the presence of Federal bayonets at the polls. This constituted the debt of gratitude which was due to Samuel J. Randall by the people of the South from Virginia to Texas.

I beg here to quote from the Congressional Record a few sentences of my humble tribute to his memory, when his voice was stilled and his heart ceased to throb. I said:

I have risen in my seat as a Representative of the "Old Commonwealth" to testify as best I can with my feeble tongue to the love she bore for this great and grand man, and to the anguish of her soul now that he has joined the mighty host beyond the shores of Time. I need not say Virginia never simulates love; she never feigns sorrow. She loved Randall with a devotion that knew no bounds, and her sorrow at his death is as genuine as her love was true. \* \* \*

In Randall she ever found a friend whose hand and heart and soul were enlisted in her defense against wrongs and in the vindication of her rights. With her Southern sisters, she stood weak and poor, bleeding from a hundred wounds, helpless to avert the dangers that threatened, powerless to ward the blows which were being aimed at her dearest interests, her material welfare, her most sacred rights, her civilization, her homes, her *lares* and *penates*. Almost in despair, almost ready to accept what seemed to be the inevitable and to bear with heroic patience the yoke which had been made for her neck, as sudden as a flash, as quick as a sunbeam, despair gave way to hope, hope sprang into confidence; a deliverer in full armor, strong, able and courageous, appeared in the arena—Samuel J. Randall, the born leader of men, the born enemy of tyranny, the born lover of constitutional freedom had espoused the cause of a weak, feeble, bleeding and defenseless people.

Recurring now to the subject of the tariff I will say that the Morrison Bill failed to pass the Senate and the tariff laws remained unchanged. It was in this tariff conflict that William McKinley laid the corner-stone of the foundation of his future luminous fame and brilliant distinction. With clearness and without reservation or evasion he proclaimed himself a "protectionist," and declared for a tariff high enough to protect every American industry.

In 1885 Mr. Cleveland, in his message to the Forty-ninth Congress, took high ground on the question of tariff, and in that direct style which has marked all his writings, he made "Tariff for revenue only" the slogan of his party. He insisted that our government "is never better administered, and its true spirit is never better observed than when the people's taxation for its support is scrupulously limited to the actual necessity of expenditure and distributed according to a just and equitable plan."

In 1887 he devoted his entire message to the Fiftieth Congress to a discussion of the subject of the tariff, stating that for the year ending June 30, 1887, the excess of revenue over public expenditure reached the sum of \$55,567,849.54. He declared that the existing "tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation ought to be at once revised and amended; that these laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles."

The Mills Bill was framed largely in accordance with President Cleveland's views; it was passed by the House, but failed in the Senate. The Fifty-first Congress passed in 1890 an act raising the duties to an average of about forty-eight per cent on dutiable goods, and this act was the law of the land when my Congressional life ended. To-day the Dingley Bill, passed in 1897, is in force, and the rates on many articles are the highest ever known in our history. But "tariff for revenue" is now recognized as one of the staid and fundamental doctrines of the Democratic party, and the standing of a man upon this issue is the best possible test of his political faith. If he does not stand for a "tariff for revenue" he must be a "protectionist," and if a protectionist he is necessarily a Republican and not a Democrat.

The most notable speeches, in my opinion, made upon the question of tariff were those of John G. Carlisle, William

D. Kelley, known as "Pig-iron Kelley," by reason of his long connection with the iron industries of Pennsylvania; Roger Q. Mills, William McKinley, William L. Wilson, of West Virginia; John Dalzell, of Pennsylvania; S. S. Cox (Sunset), of New York, and Benjamin Butterworth, of Ohio. A reading of these speeches would be sufficient to enable any tyro to understand the subject and to decide for himself between "tariff for protection" and "tariff for revenue." There were, of course, a vast number of other fine and instructive speeches delivered, but those I have named presented the respective sides of the controversy so strongly and forcibly, so clearly and distinctly, as to render the reading of others unnecessary.

The free coinage of silver, which has since become so prominent an issue, had not fully developed into an issue of any great magnitude prior to my retirement from the halls of National legislation. In fact I had given it comparatively little consideration. I was not a member of the Committee on Coinage, Weights and Measures, to which all bills relating to the currency were referred.

Being occupied with the work of my own committees, I gave a very small portion of my time to a study of the question which in 1896 and again in 1900, in my opinion, contributed so largely to the defeat of the Democratic party. The chairman of the Committee on Coinage, Weights and Measures, Richard P. Bland, was a free silverite and an enthusiastic supporter of the free and unlimited coinage of the white metal, during my entire service. He was always ready, in season and out of season, to take up the gage of battle and strike with all his might for the establishment of two standards of value. He was an absolutely honest man, and firmly believed that this government alone could put the coinage of silver upon the same footing as the coinage of gold, and maintain silver at a parity with gold at the ratio of fifteen or sixteen to one.

It was not until 1893 that his views found a lodging place in the minds of many members; then, rather suddenly, free silver came to the front in somewhat gorgeous array. In



fact the sentiment in its favor seemed to me to have sprung up almost in a night; that in the shortest time, like Jonah's gourd, it had grown to immense proportions.

In 1878 an act was passed by which silver dollars of 412½ grains were made legal-tender for all debts, and the Secretary of the Treasury was authorized to purchase at market value and coin not less than \$2,000,000 and not more than \$4,000,000 worth of silver bullion per month. In 1890 the law of 1878 was repealed and the Secretary of the Treasury was authorized to purchase 4,500,000 ounces of silver per month, issuing legal-tender notes in payment, and to coin monthly sufficient of the bullion to redeem these notes. In 1893 the clause in the Act of 1890, authorizing the purchase of silver, was repealed.

From the date of this repeal forward, the silverites became more and more aggressive, culminating finally in the memorable free-silver contest of 1896. At no time could I bring myself to believe that it was within the power of the United States alone to maintain the free and unlimited coinage of silver, and in 1896, and again in 1900, I refused to endorse the National Democratic platform or vote for William Jennings Bryan. In the former election I cast my vote for the Palmer and Buckner electors, and in the latter I simply cast my ballot for the Democratic candidate for Congress in my district. It was a great struggle with me to cut loose from so many of my party friends, but I believed the free coinage of silver would bring confusion and possibly irretrievable injury to the business interests of the country, so I determined not to be swayed by partisan feelings, but to withhold my support and vote from the platform and candidate adopted and nominated by the party. For my course I was condemned by the supporters of the platform and ticket, but I found myself in a most respectable minority in Virginia, for there were about 54,000 Democrats in the State—Democrats of the first water, Democrats who had never failed before to vote the State or National Democratic ticket—who did not endorse the free-silver platform or support William Jennings Bryan, the Nebraska statesman.

As a rule it is not well to open up old wounds or tear the scab from old sores, but when the truth is at stake it should be done.

It has been charged, and repeatedly charged, and so far as I have ever heard never denied by Mr. Bryan, that he had promised or given the Populists of Virginia to understand, or led them to believe, that he would canvass Virginia, or at least make speeches in the State, for the Populist nominee for Governor, who was a strong silverite, and against the Democratic nominee who was opposed to free silver in 1893. As I was the nominee of the Democratic party, I deem it proper to state the facts as far as I know them.

In rather the early part of my canvass, perhaps the first of October, 1893, I heard in Washington a rumor that Mr. Bryan intended to stump Virginia against me. I met him directly after the rumor reached me, on the floor of the House of Representatives. I told him what I had heard, and asked him if it could possibly be true. He hesitated for several seconds and said: "Colonel, the way the Democrats are doing does not suit me at all. I don't know where I will land." I replied: "If you have determined to go into Virginia to speak against me, you have already landed; if you go, Mr. Bryan, you will surely be met everywhere and you will have a cold reception from your kinspeople over there, for they are all true Democrats; there is no Populism in them." He studied for a few seconds, and then said, "Colonel, I won't go." I replied, "All right." He never denied the correctness of the rumor, and his language and manner convinced me that the rumor was well founded, and the anticipation of getting the cold shoulder from his numerous Virginia cousins changed his mind. I have given as near as possible the language of both of us on the occasion named. I have other evidence, part of it hearsay, part circumstantial, to sustain the charge. I have always regarded Mr. Bryan as Populistic and not Democratic in principle, and that all that has induced him to keep himself aligned with the Democratic party was the weakness and waning of the Populist party. I long since predicted that unless he could domi-

nate and control the Democratic party he would leave its ranks. He must lead; he will never follow. Caesar said "he would rather be the first man in a village than the second man in Rome." Time will show how much in this respect Bryan is Caesarlike.

I will simply add that I was reliably informed that the Populists confidently expected early in the canvass the aid of Jerry Simpson, Lafe Pence, and Kerr, from Kansas, I think, and William Jennings Bryan; they all came, except the latter. It is singular the Populist leaders' expectations were realized in the three instances, and they had no ground for expectation in the fourth. If Mr. Bryan was a Democrat in 1893, from the facts I have stated, and his manner in his conversation with me, I am reminded of the story of the boy who when told by his teacher that the sun was much larger than this world, replied, "Well, Mr. Teacher, I can't doubt your word, but if the sun is much larger than this world, it has a mighty poor way of showing it." If Mr. Bryan was a well-grounded Democrat in 1893 he had "a mighty poor way of showing it," and it was very strange that all the Populist leaders were loudly proclaiming his entrance as a Populist into Virginia.

Just as the gubernatorial canvass of 1885 was concluding, what was known as the "Danville Riot" occurred. In the city of Danville there was a very large colored population, and these people had been aroused to a state of recklessness and desperation by intemperate, in fact incendiary, utterances on the hustings by several bitter and vindictive partisan Republican speakers.

For days prior trouble was brewing; the white people realized it; the negroes were insolent and disposed to take matters into their own hands; they bade defiance to the legal authorities and to all intents and purposes took possession of the city. The white people found their blood boiling; their homes and property were in jeopardy; they quietly armed themselves and prepared for the conflict which they believed was inevitable. It came quickly, and blood ran in the streets, but it was soon over; the negroes, though gath-

ered in immense numbers and in a state of frenzy and madness, gave way directly and ran in every direction.

The whites showed no spirit of vengeance and were guilty of no cruel acts. They were far more infuriated against the marplots who had poisoned the minds of the negroes than they were against the negroes themselves. But these sowers of discord and fomentors of strife were far away from the scene. They had left the poor deluded negroes to their fate.

The news of this affair flew on electric wings to all corners of the State, and many a white man who had taken little or perhaps no interest in the gubernatorial contest was early at the polls on election day, to declare by his vote his fealty to a white man's government in Virginia. This riot converted Danville from a city of disorder and lawlessness into a city of order, law, peace and tranquillity, and so it has remained to the present day.

A resolution was offered in the Senate of the United States providing for the appointment of a committee to "investigate the Danville Riot." It passed, the committee was appointed, and the investigation was had.

On the committee was Senator Zebulon D. Vance, and into his hands were confided the interests of Danville, and no abler or more faithful champion could have been selected. The hearing occurred in a Senate committee-room and was long and protracted, and resulted in giving to the country the facts, upon which there was a verdict by all fair and just people, exonerating the white people of the little city on the Dan from blame.

There was some discussion of the riot on the floor of the Senate, but it was listless and spiritless, so much so as to draw from North Carolina's distinguished Senator a humorous remark, for which he was so noted. A Senator was speaking of "the atrocious deed," with no life in his voice and no spirit in his speech, when some person in a group of perhaps a dozen of us, among the number Senator Vance, said, "Senator, does Senator ——— always speak as he is speaking now? There is no vim or spirit in him." Vance

replied: "That's his style. He is so cold that he could not sit by a pretty girl, the hottest day in August, without giving her the shivers."

Senator Vance was a most remarkable man. His counterpart has never been born; his equal in many respects has never existed. A more winning and captivating speaker before the masses has never appeared upon the hustings; he could strike the popular pulse faster than any man I have ever heard. In logic he was powerful; in humor he was unexcelled. His repartee was as quick as lightning; his blows were stunning and in fencing with an opponent he never left his guard down. He was the attraction of any social circle. Virginia mourned his death only a little less than North Carolina, whose gubernatorial chair he twice filled with honor, and whose name in the Senate of the United States he wreathed with garlands.

For years during my Congressional term the repeal of the internal revenue tax on distilled spirits and tobacco was earnestly urged. It was contended that it was a tax on the product of the soil and a burden upon the farmers. North Carolina and Virginia were particularly vigorous in their efforts, and their representatives led the fight. The Virginia leader was Honorable George C. Cabell, of the Fifth district. He was as energetic and faithful a representative as any district could boast of, and these qualities, coupled with his ability and his popularity on the floor, made him most potential in behalf of any measure he advocated.

We had a strong ally in Samuel J. Randall, who believed in striking down internal taxation rather than customs duties. Many of the Republicans were opposed to internal revenue taxes, but they were afraid to vote to relieve distilled spirits and tobacco from taxation. They would have been glad to see the Democrats do so, but they were afraid to aid them with their votes. The Northern Democrats, generally, contended that whiskey and tobacco were not necessities, and they could not vote to relieve them from taxation while customs duties remained on the common necessities of life. The North Carolinians and Virginians, however, continued

their efforts from session to session, but they never succeeded.

In the two States were many "moonshiners," a term given to those who in the fastnesses of the mountains would set up stills, generally of the crudest kind, and then secretly and quietly, under the light of the moon, distill brandy from the apples and peaches grown in the neighborhoods and smuggled to the stills. It was usually a small business, but there was always a demand for "moonshine brandy," as it could be bought at much less than the internal tax upon the product.

But many a "moonshiner" was caught and paid dearly for his defiance of the law. The Fifth and Ninth districts were the principal abodes of these people, and the representatives from these districts had their hands always full with applications for pardons. While the officials were rigid, they frequently granted pardons, and on various occasions I saw the face of the big-hearted Cabell all radiant over the pardon he had secured for some poor denizen of the Mountain of Hepseadam, as he would express it. He was seemingly as happy over his success in relieving the poor and unfortunate man as if he had found something of almost priceless value.

Occasionally a constituent of mine would get into trouble by "moonshining" and he would appeal to me to get him relieved of the meshes of the law. The first petition of the kind I received I was directed at the White House to present to the Pardon Clerk in the Department of Justice. When I entered the office of the clerk I was very much surprised to find him an old friend whom I had known from my boyhood, and for whom I had cast my first vote while in the Confederate Army, for representative in the Confederate House of Representatives from the lower Shenandoah Valley district—Honorable Alexander R. Boteler, of Jefferson County. I had not seen him for years and was delighted to meet him. Prior to the war he had been a candidate three times, I think, for the United States Congress, losing in his first two contests and winning in his third, and was a member when Virginia seceded. He was an orator in its

strictest sense, and I can recall now some of his flights or eloquence which thrilled me as a boy. The war had impaired his fortune, and in his old age, though a Democrat, he had accepted the appointment as Pardon Clerk from his friend and class-mate, Hon. B. H. Brewster, then Attorney-General of the United States. As I sat talking with this cultured man, whom the people had loved and highly honored, I could not help thinking of the vicissitudes of life. When I took his hand on my departure I thought I saw a quiver of the lips; I thought I could see in his face that his mind was running back to the days when multitudes hung upon his flowing words and did him homage.

In a few days he wrote me that the case of my constituent had been "briefed." I sent for the papers and with them I went to the White House and succeeded in obtaining a pardon for my "moonshiner" constituent.

## CHAPTER X

### THE FORCE BILL—THE NAVY—PATRONAGE.

The Force Bill Again—A Menace to the South—Credit Due to Senators Gorman and Stewart for its Defeat—The Naval Question—The Turreted Ironclad and Monitor the Creations of Necessity—Mr. Whitney the Pioneer of the New Navy—Hon. Hilary A. Herbert's Great Service in its Behalf—The Strength of the Present Navy—An Occurrence During the Discussion of Naval Appropriations—"Private" John Allen's Stinging Rebuke—The Question of Patronage a Perplexing One—To the Victors Belong the Spoils.

The South was greatly alarmed in the Fifty-first Congress over the prospect of the passage of a Force Bill, or bill to regulate and control Federal elections in the Southern States. President Harrison in his first Message to Congress, December 3d, 1889, recommended strongly the passage of such a measure. He declared "that in many parts of our country where the colored population is large the people of that race are by various devices deprived of any effective exercise of their political rights and of many of their civil rights. The wrong does not expend itself upon those whose rights are suppressed. Every constituency is wronged." He earnestly invoked the attention of Congress to the consideration of such measures as would insure to the colored voters the free exercise of the right of suffrage and every other civil right under the Constitution. He claimed that the Federal Government could take the whole direction and control of the election of members of the House of Representatives into its own hands. He insisted that the colored man should be protected by Federal legislation, even as a traveler upon interstate railways.

The message was regarded by the Southern members as recommending that the Federal elections in their States should be taken away from their own State election officials and put under the management, direction, and control of Federal officials, supported by Federal troops; and it was



regarded by the Democratic party as in opposition to the sovereign rights of the States to conduct their own elections by their own election officials, free from the presence of Federal bayonets.

The Fifty-first Congress was Republican and the message exerted a strong influence upon even the most conservative members of the party, and a "Force Bill" was finally introduced, and under the new rules of the House, framed, as Speaker Reed declared, "so the House could do business," was ultimately passed, but it failed in the Senate, through dilatory tactics resorted to by the Democratic Senators. Then the Southern people breathed easier. The next two Houses were Democratic, and of course no "Force Bill" was introduced in either, and since the Republicans returned to power no such measure has ever been seriously suggested so far as I have heard; and now the sentiment and conditions have so changed that this menace to the South's rights, peace, and happiness no longer exists in the most remote degree.

For the defeat of the measure in the Senate the credit is due more to Senator Gorman, of Maryland, and Senator Stewart, of Nevada, than to any other two or more Senators. The tact and skill of Senator Gorman was superb, and the part played by Senator Stewart was masterly. To them the South should indeed be grateful.

As a party the Democrats were opposed to a strong Navy, which necessarily meant heavy expenditure of money. The Republicans were very much like the Democrats. The country was at peace and no foreign complications were anticipated. This was the condition when President Cleveland was inaugurated in 1885, and it continued for several years.

Our Navy had always been weak, and yet American sailors had scored victories and achieved glory and showed their prowess whenever they had been pitted against a foreign foe. In 1797, fearing war with France, Congress authorized the construction of the *Constitution*, *United States*, and *Constellation*, and the purchase of a limited number of other vessels. When the War of 1812 broke out our vessels

did not exceed twenty, of them only three first-class frigates—the *Constitution*, the *President*, and the *United States*; England had eight hundred and thirty. With what pride we recall the achievements of America's little Navy in that war.

In 1819 our Navy was largely increased, and a resolution was passed directing the naming of the ships of the line after the States, frigates after the rivers, and sloops of war after the cities and towns of our country, and the whole Navy was divided into four squadrons.


In the Mexican War our Navy blockaded Vera Cruz and forced the port of San Juan de Allos into submission, and seized Monterey and Los Angeles. When the War between the States commenced the Union Navy consisted of forty vessels, but they proved worthless with their wooden construction when under the fire of the modern long-range and heavy-calibre guns, and in combating such vessels as the iron-clad *Virginia*, whose record shines on the brightest pages of naval warfare.

The turretted ironclad and monitor sprang from Union necessities. Southern ports had to be blockaded and new and stronger vessels had to be constructed to face the fire of modern guns and cope with vessels like the *Virginia*. The rapidity with which improved vessels were built and put afloat was marvelous. The Union Navy grew from forty vessels of inferior order at the commencement of hostilities to over six hundred vessels, seventy-five of them ironclads, when the Confederacy fell from exhaustion in resources and men.

This rapid preparation of a navy when the necessities of the Civil War demanded it was used as an argument against large naval appropriations, but when analyzed it was no argument at all. The South had no navy with which to carry on an offensive warfare. If the United States had been engaged with a real naval power her ports would have been blockaded, her navy-yards destroyed, and her seacoast cities and towns battered into ruins before she could have started to construct a navy.

But while Congress was allowing the matter of our naval defenses to drift along in a most careless manner, the Democratic Secretary of the Navy, Hon. William C. Whitney, in 1885 realized the importance of strengthening the Navy, and he began quietly to strain every nerve and avail himself of every means at his command to that end. About the close of his term the sentiment in regard to naval appropriations changed in great measure; the naval contingent, composed of a few Democrats and a few Republicans, were gladdened by many accessions to their ranks, and they became bolder and more aggressive in their fight. Finally, when President Cleveland's second term was ushered in he named Hon. Hilary A. Herbert as Secretary of the Navy, and in him the Navy had a strong, fast, and untiring friend. He threw himself forward boldly as an advocate of a larger and improved navy, and during his term great strides were made in preparing this country for aggression and defense on the seas. This was not done too soon, as subsequent events proved. Herbert improved the personnel of the sailors—the men behind the guns; he required much target-practice, and the marksmanship of our men in Dewey's immortal feat, and Sampson's or Schley's achievement off Santiago attest the wisdom of Herbert's administration of the affairs of his high office.

The American Navy now consists of about two hundred and sixty vessels of all kinds; she has battleships of the first and second classes, first-rate armored cruisers, first and second-rate protected cruisers, gunboats, harbor-defense rams, dispatch-boats, dynamite cruisers, torpedo boats, tugs, receiving and sailing vessels. She has perhaps one hundred and seventy-five effective fighting vessels. But her Navy is but an infant in size in comparison with many of the navies of the world, and it seems to me that every American patriot should wish to see his country the mistress of the seas, not as a mere matter of National pride, but as an assurance of National safety, peace, and tranquillity. On land we can defy the combined powers; let us be able to defend our sea



coast, and wage an aggressive war in any part of the globe, when our rights require it or our honor demands it.

With the patriotism, martial pride, and *esprit de corps* of our people, and the inspiring spirit of our women; with the millions who would spring to their guns at the first tap of the drum or first bugle blast; with our facilities for moving and mobilizing armies and our unlimited resources, no army that could be organized could penetrate our country by land to do us any material harm. Any foe would be doomed the moment it got beyond the protection of its men-of-war, and would be welcomed to a hospitable grave.

We may retrench in army expenses, for millions of men for land defense could be raised as fast as their names could be enrolled, from every section, for there are no geographical lines of patriotism now; but let us have no parsimony or cheese paring in our naval appropriations. God grant we may live in peace with all nations, but let us be prepared for any emergency. War is horrible, and should be undertaken as the last resort. It is at best demoralizing; it leaves an army of cripples and an army of widows and orphans; it destroys homes and firesides and fills a land with sorrow and mourning. A giant navy will almost surely avert these evils. Let us have it.

In connection with the discussion on the floor of Congress of one of the naval appropriation bills there was an occurrence which will here bear relating.

A Northern Republican member, whose name I shall withhold, as he has gone to that bourne from whence no traveler returns, was socially a most agreeable gentleman, but a most extreme and violent partisan. In his advocacy of a bill on a particular occasion relating to naval expenditures he opened the phials of his wrath upon the Southern members, charging them with disloyalty, and denouncing them as rebels. It was a speech characteristic of the man.

He was instantly replied to by Hon. John Allen, of Mississippi, or "Private" John Allen, as he styled himself.

He referred to the fact that he had been a Confederate

soldier, entering the Army when he was quite young, and serving until Johnston surrendered.

"It was," said he, "perhaps a youthful indiscretion in me, still I stuck at it until all was lost. Then a comrade and I started home, and after traveling some days it occurred to us that we were not doing right; that home was not the place for us while there was an armed Confederate force in the field, and we should go to Kirby Smith, west of the Mississippi. Still we had a hankering for home. Leisurly we wended our way, debating what to do. Finally we saw an old countryman just ahead of us, sitting on a log in his shirt sleeves, with one gallows across his left shoulder and an old straw hat partly concealing his auburn locks.

"We approached him, submitted our trouble to him, and asked his advice. The old fellow expressed the opinion that the war was over and advised us to go home, get to work, and do the best we could. He then said: 'Boys, this here war has been a awful war. Think of the blood that's been spilt, and the men that's been kilt, and the money that's been spent. It's jist awful. But, boys, do you know what troubles me more'n all them things? It's jist this, that arter a while some d—d fools will be crying rebels at us.'" The House rang with laughter; the member who had been rolling the word "rebel" around his tongue like a sweet morsel stood with a scowl on his handsome face. Allen's features never changed; he never smiled, but as soon as order was restored he said: "Mr. Speaker, I have simply related this circumstance so fixed in my memory. I make no application of it. I have nothing more to say."

The rebuke was most telling, and made the use of the word "rebel" far less frequent by the member than it had previously been during his long service.

There is nothing more perplexing or troublesome in official life than the power to bestow political favors or appoint to positions, commonly called patronage.

Patronage is an element of weakness in a party, and equally so in a candidate. In every election the hope of reward for party service is the incentive to many to exert them-

selves for a party or a candidate. These men give their support for what they expect or hope to get out of it. Principles rest lightly on their shoulders; they change their faith as quickly as a chameleon changes its colors, when to do so is to their personal advantage. They stand high in their own estimation; their influence, they assert, is most valuable; they know all the tricks, short cuts, ways and means of securing votes; they are adepts in the fine art of politics; they know it all; their services are absolutely essential to success. Every public man is familiar with this class, and they are difficult to deal with, hold them to you and preserve your own self-respect. If the party or candidate is victorious, and there is any patronage to bestow, they buzz around the appointing power like bees around their hive. If there are six places to give out there will be many times that number of applicants, and when they are bestowed there are six self-satisfied fellows with no thanks, each feeling that he is not under any obligations, that he won on his merits, got nothing but what he deserved; on the other hand there will be treble the number of disgruntled fellows, each declaring he had been treated badly, deceived, betrayed, and heaping their anathemas upon the party or upon him who is the object of their wrath.

There is another class who are guided in their party affiliations by principles, and fight for their ascendancy because they believe them to be right, and no failure to receive political favor or preferment can affect their earnestness or fidelity. They are high men, yet in many instances if they fail to receive the recognition which they feel they deserve at the hands of him in whom the power of appointment is vested, they become disgruntled, and from that day forward, though loyal to their party they are at enmity with the official who did not recognize their claims over those of many who occupied as elevated a plane as themselves; in rare instances they become luke-warm toward the party, and while they will vote the party ticket, they will not exert themselves in its behalf.

But there is still another class, and they constitute the mainstay of a party, who are party men at all hazards, and no failure to receive favors, or to reach the acme of their ambition, or to secure party recognition ever daunts them or cools their ardor.

Now I believe that party success should carry with it all reasonable party favors; that "to the victors belong the spoils," using the term in its proper sense. In a political battle, as well as in a battle of arms, the victors should have the positions and offices of the vanquished, just as a victorious army should have the stores and supplies of its defeated foe, with this difference, that the successful political party should first consider the welfare of the Government before seizing the positions and offices for party use. There are many positions in the departments at Washington whose incumbents should not be removed, whether they have affiliated with the incoming party or not. Their qualifications have been acquired through years of service, and the interests of the whole people should not be imperilled by their displacement. But where removal can be safely made, then I think they should be filled by men in sympathy with the party in power and who aided in bringing it victory.

I am an advocate of the Civil Service Rules to the extent I have stated, but no further. Care should be taken to secure competency, and the effort should be confined to the ranks of the dominant party; but never remove a competent man to put an incompetent man in, I care not which party is in power.

## CHAPTER XI

### CONGRESS A BRAINY BODY—SOME INSTANCES.

The Varied Attainments of Members—S. S. Cox the most Versatile man with whom I served—J. Randolph Tucker a Close Second—"Tim" Tarsney and John Allen Swap Anecdotes—John S. Barbour and D. B. Culberson—Isador Raynor—Benjamin Butterworth—David B. Henderson—Joseph D. Sayers—John Dalzell—Charles H. Grosvenor—Henry G. Turner—James D. Richardson—William P. Hepburn—Charles E. Hooker—Serenio Payne—Daniel N. Lockwood and John DeWitt Warner—Joseph Wheeler—John A. Hemphill—A "Rough Diamond"—W. H. F. Lee—W. L. Wilson—Henry St. George Tucker—William A. Jones—Paul C. Edmunds—Connally F. Trigg—Thomas Croxton—Edward C. Venable—Posey G. Lester—Joseph D. Brady—James F. Epes—George E. Bowden—James W. Marshall—Claude A. Swanson—John G. Carlisle—What I Think of Freedom of Speech.

In my opinion we can justly claim that the Congress of the United States is the ablest parliamentary or law-making body in the world. The abilities of its members are as diverse as possible; they run in every channel.

The constitutional lawyer, the common law and statutory lawyer, the commercial lawyer, the mining lawyer, the bank lawyer, the railroad lawyer, the real estate lawyer, the corporation lawyer, the criminal lawyer, the maritime lawyer, the country practitioner of medicine and surgery and the specialist in every branch of materia medica and surgery; presidents and other officials of corporations, manufacturers and miners, timber dealers, seafaring men, mercantile men, agriculturists, financiers, college professors and scientists, men of every avocation and calling in this land, whose interests are as various as sea-shore shells, are found upon the floor of Congress. What a store-house of general knowledge is the Congress of the United States, all its members coming from the people, each representing the sentiments and views of his particular constituency? In that body of such diversified knowledge will always be found men fully



armed and equipped upon a moment's notice to discuss any subject in the mighty realm of thought.

Most of them, of course, have their specialties; some their "hobbies"; some are broader and more liberal than others; some more versatile than others; but as a rule they are strong and able men, and there is something in each that has attracted his people to him and elevated him above the plane of his fellows. The accidental man is not often seen.

The most versatile man with whom I served was surely Samuel S. Cox, of New York. He was always ready; he could speak with credit upon any general subject without a moment's preparation, and he could make his speech so as to accord with the demands of the occasion or of his party.

He could be logical, invective, pathetic or humorous, or he could combine all in a single speech. He could roll off figures and statistics with accuracy at will. His command of language was wonderful; he never lacked for a word to clearly express an idea. He never showed temper. His face always beamed with pleasantry and cheerfulness. He lived in the sunshine and never in the shadows of life. He was quick at repartee, and his arrow usually hit the mark, but never was it pointed with malice.

No person would even attempt to approximate the number who have read his book, "Why we Laugh," with exquisite delight. In telling us why we laugh, he keeps us laughing.

Next to Samuel S. Cox in versatility, and a close match for him, was J. Randolph Tucker, of Virginia, of whom I spoke briefly in the early part of these reminiscences. Mr. Tucker was recognized as an authority on constitutional law; besides he was thoroughly equipped in all branches of the law. He was peculiarly gifted in the art of jury practice. He was a fine judge of human nature, and could read with almost unerring certainty the character, idiosyncrasies, whims and caprices of men.

His amiability, courtesy, and kindness toward all made him universally popular in the House of Representatives, and every member was personally fond of him, while his

profound legal learning commanded for him the respect and admiration of all, regardless of political faith.

Like Mr. Cox, he was brimful of humor and pathos, and I have seen him on the hustings have his audience alternating all through his speech between laughter and tears, merriment and thoughtfulness. Perfect order prevailed on the floor of the House of Representatives whenever he spoke, except when it rang with laughter or echoed with applause.

Of John Allen, of Mississippi, as a humorist, I need scarcely write. His reputation is coextensive with the boundaries of this land. His sayings, hits, and witticisms have brought mirth to readers by the tens of thousands, and have been used "to point a moral or adorn a tale" by thousands of rostrum orators. In the Presidential election of 1892, I think, he and "Tim" Tarsney, of Michigan, accompanied me to Charlottesville to speak at a large gathering of the people.

Tarsney, who was a most captivating stumper, delighted his hearers. He had been a Federal soldier and was for a time a prisoner at Belle Isle, Richmond, and before him were hundreds of Confederate veterans.

Without making a recantation or singing a palinode, he spoke of the fratricidal strife in a manner that made him the hero of the occasion, and made the "Old Confeds" almost shout their lungs away, and when he concluded, his reception at the hands of the "boys" who had worn the gray was as spontaneous and warm as I have ever seen given to any speaker in my long political life. Allen followed him in a characteristic speech, and the meeting closed, figuratively speaking, with the sky filled with rockets and the air with shouts and cheers for Cleveland and Democracy. In his speech Allen referred to his district as a district so black that "in any gathering a white man looked like a peeled onion in a tar barrel."

He gave an account of his first canvass for a political office,—district attorney,—in which an old colored orator, who was his friend, appeared on the platform with him at a certain point "where there were acres of negroes and not

a white man before him." He said he spoke eloquently of his legal learning, his knowledge of Blackstone and every authority since Blackstone's days, his acknowledged virtues and fitness for the high office, his determination to do his duty, his whole duty and nothing but his duty, and closed by appealing to every voter to exercise his free-born right as a sovereign American citizen by voting for him.

When he took his seat his colored friend and orator arose with great dignity and said:

"My bredren an' sisterns: It was my purpus w'en I 'compained my beloved frien', who I played wid w'en we was boys, an' went a fishin' an' a coon huntin' wid—I say, my bredrens an' sisterns, w'en I cum here dis lubly night under dem stars dat shine out above us, it was my intenshun to make a speech fer my frien'; but my bredrens an' sisterns, my dear frien' has recommended hisself so much higher dan I kin recommend him, I thinks I had better be n'utral on dis here occasion. But I want to say, my bredrens an' sisterns, befo' I take my seat, dat I'se gwine to vote fer my frien', fer he knows moren about Blackshine an' all dem fellows who lay down de law to us, dan any man I knows of in dis free land of liberty."

Allen was elected.

As we were all returning to Washington the next day, Tarsney, who was a good story-teller, and Allen were cracking jokes, when soon after we struck the Manassas Country, Allen said: "Look here, Tim, once in the long ago we gray-backs made a lot of you blue-jackets git up and git through these fields and pine woods. Were you with them?" Tarsney replied he was. "Well, Tim," said Allen, "an Irishman who was with us found a blue-jacket on the side of one of these roads, and he told the Irishman he was wounded in the leg, and appealed to him to carry him to some place of safety. The Irishman, in the bigness of his soul, gathered the 'Yank' up on his back and went tugging along as best he could, when a cannon-ball knocked the Yank's head off without the Irishman knowing anything about it.

"Directly some gray-back said, 'Pat, what are you carrying that dead man for?' Pat replied, 'He isn't dead.' 'But he is dead; he has no head.' 'The devil you say!' cried Pat as he threw the headless man from his back. Then, eyeing the lifeless form for a moment, Pat exclaimed: 'Did ye ever see the loike of him? The darned bugger decaved me; he told me he was only shot in the leg!'"

The two wisest men in the House during my extended service were John S. Barbour, of Virginia, and David B. Culberson, of Texas; there were others who approached them, but there were none who equaled them. There were men of more learning, more general information—men of more brilliancy and more attractiveness, but none safer, sounder, or steadier. Barbour was not a speaker *on his feet*, but around a committee table, where business is really mapped out, measures deliberately discussed, and bills maturely considered, or in the council chamber, he was a power. Then his mind worked, his reasoning faculties were aroused, and his judgment was acute.

Culberson was a speaker of great force, but he was seldom heard; yet whenever heard, he had the closest attention. The House would hang upon his words, for they were instructive and weighty. He was not as energetic as Barbour, who was all energy; he was disposed to take his ease and much of his time was spent in the retiring-room, but there he always had an audience, and in the most non-chalant manner he was constantly "throwing off great chunks of wisdom," as some member expressed it, for others to take up and utilize.

He had been in his younger days a great criminal lawyer, and had defended perhaps more men charged with murder than any lawyer living within the last fifty years, and it was said that not one he had ever defended was hung. The retort of the doctor when told by a lawyer that "a doctor buried all of his mistakes," that "the mistakes of a lawyer often dangled at the end of a rope," could not have been made to this distinguished Texas representative.

I would rather have submitted a grave question to the judgment of John S. Barbour and David B. Culberson, with the power to call in an umpire in case of disagreement, such as they might have selected, rather than to any committee that has ever existed in the House of Representatives.

Both of these wise men have passed from the scenes and turmoils of this life, we trust to that abode "where everlasting suns shed everlasting brightness."

From my memorial address on the life and character of John S. Barbour, delivered on the 25th day of February, 1892, I quote as follows:

Mr. Speaker, it has been my good fortune to meet and mingle with many of the men who in the last two decades or more have brightened the pages of our country's history, imprinted themselves upon the minds and hearts of the people, set examples worthy of emulation, and carved their names in the niches of enduring fame. Some have been orators who captivated the affections and swayed the passions of the people; some have been logicians leading us step by step down into the well where truth is found and then raising us to the surface full armed to meet the sophistries and heresies with which the world abounds; some have dazzled with their genius in the domain of literature or the arts and sciences; some have shone with meteoric brilliancy in the walks of humanity and the broad field of a common brotherhood, extending their sympathies in an ever-widening circle; some have risen to heights of glory on land and sea and drawn forth peans and praises for their courage and skill, devotion and patriotism in the dread arena of war, and some while neither orators, logicians, men of letters nor science, philanthropists nor warriors, have combined within themselves qualities of mind and heart which made society transcendently better because they were members of it, the Republic far better because they were citizens of it, and the world much better because they lived in it, and in this class stood John S. Barbour, high in rank, the equal of the loftiest, the peer of the noblest. \* \* \*

Death, "the golden key that opens the palace of eternity," came to him in May last, in the early morning when the air was redolent with the perfume of flowers and musical with the lays of the birds, and when nature seemed to be inviting all to live and be joyous.

Messages on electric wings flew throughout the domain of Virginia, and the joy and gladness of that May morn were turned to sadness and sorrow, and hearts were made to bleed, and eyes were made to moisten.

\* \* \* \* \*

Recently the legislature of Maryland elected to a seat in the Senate of the United States a gentleman who as a member of Congress stood among the brainiest of the brainy men

of that brainy body. His brilliant career since has been no surprise to those who observed his strong points years ago. Combined with a well-rounded character, he was a most indefatigable worker, and a speaker of supreme dash and magnetism, and of great force and eloquence. He was classed among the orators of the House and among the most valuable members. I speak of Hon. Isador Raynor.

In my opinion the lamented Benjamin Butterworth, of Ohio, was the most attractive and forceful debater on the Republican side of the chamber during my service. I heard him on different occasions engaged in debates with Republicans on non-political, and with Democrats on party questions, and he either achieved a decisive victory or inflicted as much injury upon his opponent as he himself received. He was of Virginia lineage on his maternal side, and always had a kind word for the State that had given birth to her "who had taught him to pray, and venerate the soil in whose bosom rested the dust of his elder maternal ancestors." His mother was of Quaker descent and was born near "Hopewell," an old Quaker meeting-house in Frederick County, around which there was hard fighting on the day of the Winchester battle between Sheridan and Early. Virginia's representatives had his friendship, and his aid too, whenever he could consistently give it.

David B. Henderson, of Iowa, late Speaker, was to me an exceedingly picturesque and attractive member. With a war record to be admired and a boldness and pleasant aggressiveness that were attractive, standing upon one leg, the other having been left on some battle-field, with a face that showed courage, yet beamed with generosity, with a voice distinctly audible in all parts of the hall, never indulging in abuse of "rebels," always recognizing the rights of the minority and not attempting to drive them to the wall by sheer force of numbers, he secured my admiration and respect, and I rejoiced when the Speaker's gavel fell to him in the Fifty-seventh Congress.

Joseph D. Sayers, of Texas, was a man whom it was necessary to know to appreciate his true worth. He was

plain and unassuming, modest almost to a fault, gentle in manner and amiable in disposition. There was nothing showy about him. Inch by inch, almost, at first he advanced, then step by step he moved forward, and began to attract attention quietly and smoothly forge his way to the front and make himself felt. In the Fifty-second Congress, I think, he was appointed a member of the Committee on Appropriations, and he soon became a leader in this important committee that held the purse-strings of the Nation. He had everything at his fingers' ends. He sustained the position with facts and figures, and whenever he got through hammering an appropriation item it usually had little life left in it. He saved the country millions and prevented many a raid upon the treasury by his tireless energy and ceaseless vigilance. When he retired from Congress to accept gubernatorial honors the House lost one of its most valuable members.

There was no more astute, wide-awake member than John Dalzell, of Pennsylvania, particularly whenever any measure affecting the coal or iron interests was before the House. He was thoroughly posted upon everything connected with these interests, from the "black diamond" and crude ores in their native beds to the merchantable article of the one and the finished product of the other; the mantle of William D. Kelley seemed to have fallen upon his shoulders, and he wore it most worthily. He naturally preferred that coal and iron should be let alone after satisfactory tariff duties were placed upon them, but he never avoided a contest, but would take up the gage whenever it was thrown down.

A ready, vigorous, and rough-and-tumble fighter was Charles H. Grosvenor, of Ohio. He was a man of intellectual power, and was apparently irritable and ill-tempered; he always looked, when he was engaged in making one of his characteristic fiery, peppery efforts, as though he was ready to execute his opponent without the benefit of clergy; but it was only his way, and while a stranger would have thought he was a regular fire-eater, his associates knew that it was only a surface display, and that his real nature was

just the opposite of what it seemed to be when he was firing his broadsides and jarring the pillars of the Capitol with his cannonading.

Henry G. Turner, of Georgia, was among the giants of the body. He was a deep thinker and went to the bottom of every measure he discussed. He seldom occupied the floor, but whenever he did he commanded the utmost attention. He spoke with earnestness, with scrupulous regard for the facts, confined himself closely to the subject, and never lugged in any extrinsic matter. He hewed to the line, made no attempt at rhetorical flourishes, but with a well-modulated voice, pure English, and sledge-hammer blows he attracted all, confirmed those who were inclined his way, and converted many a dissident.

In the Presidential campaign of 1896 he declared his disagreement with the free-silver plank of the National Democratic platform, and while his people were willing to return him to Congress, notwithstanding his anti-free-silver views, he declined a re-election, upon the high ground that a representative should be in accord with the political views of his party. Thus, constant to his convictions, and firm in the right, as he saw it, he cast aside the proffered honor and voluntarily retired to the shades and walks of private life. Recently his death cast the mantle of sorrow over the State that loved him so well.

James D. Richardson, of Tennessee, entered Congressional life in the Forty-ninth Congress and was soon recognized as a most industrious, energetic, and vigilant representative. Gradually he developed into an active and well-equipped debater.

His very tall and slender figure made him a marked man on the floor, and his uniform Prince Albert suit of black and smooth face gave him the appearance of a clergyman rather than a lawmaker. Since the days of my association with him he has won more golden honors, and has been the Democratic leader in the House, a distinction second only to that of Speaker—in fact he would have held this exalted posi-



tion if his party had been in the majority instead of the minority.

William P. Hepburn, of Iowa, was a strong and faithful servant of his people. Socially he was pleasant and companionable, but from the time "silence" was commanded in the morning until adjournment in the evening, like the proverbial Irishman, he carried a chip on his head and invited any Democrat to knock it off.

He was always pugnacious, and would lose his lunch or even a dining any day to have a "scrap" with a Democrat, particularly if the Democrat happened to be a "rebel" in the long years gone by, but who, though never lowering his manhood by begging pardon or admitting he was wrong, was as loyal to the flag of the Union as the bravest who fought under it. Personally I liked Hepburn, and I took an occasional stroll with him, and I often regretted that he could not be his real self on the floor.

The most courtly member was Charles E. Hooker, of Mississippi. He was all urbanity. Always neatly attired, with his splendid face and graceful manner, his empty sleeve attesting his courage in the tempest of shot and shell, and usually displaying his taste for the beautiful in nature by wearing a boutonniere of his favorite flower, the rose, a stranger rarely entered the gallery without inquiring who he was before leaving.

He was highly cultured and a polished orator, and often have I listened with rapture to his flashes of rhetoric and flights of eloquence. But his oratory was of that order that clothed strong points and arguments in beauty—he made dull facts and figures attractive.

The Romans heard the oratory of Cicero without material results; the Athenians heard Demosthenes, and when he finished they were breathing revenge and exclaiming, "Let us go and fight against Philip!"

Sereno Payne, of New York, gave promise of the wide and well-earned distinction he has since attained.

He was a full, suave, well-poised man; alert, energetic,



and earnest. He was discreet and diplomatic, and was a valued lieutenant of Speaker Reed in all party emergencies.

Daniel N. Lockwood and John DeWitt Warner, of New York, were representatives worthy of their State, and if they had not tired so soon of Congressional life they would have become shining lights. They were both men of splendid mental power and were capable of holding their own in debate with the ablest.

I knew Mr. Lockwood better than I knew Mr. Warner, as Mr. Lockwood was a member of the Committee on Elections, of which I was chairman, and besides I sat by him in the Fifty-second Congress. His judgment was sound; in counsel he was safe. He had the courage of his convictions and nothing could swerve him from the course he had deliberately marked out. Though a Democrat "through and through," he voted to unseat the contestee—a Democrat from his own State—in the celebrated case of *Noyes versus Rockwell*, heretofore noticed. The pressure upon him was immense, but it made no impression upon him, and he dared to do his duty as he understood it.

I must refer to Joseph Wheeler, of Alabama, but it would seem to be supererogation, for the deeds and fame of General Wheeler reach to the farthest limit of this Republic. But they are his military deeds and martial fame. I shall write briefly of his Congressional service. His attention to the wants of his constituents was unequalled. From his own pocket he supplied his entire district with public books, documents, and seeds. When his own quota was exhausted he bought until his supply was ample for all the demands of his district. He was the best letter writer in Congress; every letter his mail brought, however simple, received a reply. His energy and activity were boundless. He was never in one place for any length of time unless from necessity. He kept well up with matters of legislation, took part frequently in the debates, and his speeches bore evidence of hard study and rigid research. He possessed much originality of thought, and never hesitated to combat a time-honored principle or attack an ancient, deeply-rooted doc-

trine, if he believed they were founded upon false premises or had outlived their day. He was not a popular speaker; his voice was weak, and he lacked the grace and manner of those who can hold multitudes within their grasp, tickle the ear, and convince the judgment. But his speeches were well prepared, and read well; they abounded in strength, and were always instructive.

Among the ablest, most attractive, and promising younger members during my service was John A. Hemphill, of South Carolina. He was a fine lawyer, a quick, ready, fluent and dashing debater, with a clear, ringing, and musical voice. To hear him once when stirred and animated whetted the desire to hear him again. He was a hard student, a worthy representative of the cultured and chivalrous people he represented, and if he had not retired he would have reaped honors fast and thick.

There was a member from a distant State whose name I shall not mention for reasons that will hereafter appear, who was every inch a man, but "a rough diamond." When he was elected to Congress he knew little of the world outside of his district, and nothing of the more modern ways of city life. Upon reaching Washington he was picked up at the depot by a porter and conducted to about a fourth-class hotel. Comparing it to the country taverns in his rural district, the hotel was a snug place indeed for him, and entirely satisfactory. The proprietor, learning he was a Congressman, got him to write M. C. at the end of his name when he registered.

A newspaper reporter dropped in during the evening, and discovering the name of — — —, M. C., on the register, knew that he must be a member "from a backwoods district," as he afterwards expressed it, and he determined "to write him up"; so in a day or two he wrote and published in a morning paper a story to the following effect: "Honorable — — —, M. C. [giving his name], stopped on his arrival in the city at Hotel — —. He retired early, as is his custom. The next morning, very early, the servants smelt escaping gas, and they traced it to the parlors occupied

---

by Honorable ———, M. C. After pounding for some time upon the door of the distinguished guest, he appeared at the door *en deshabille*, and in stentorian tones demanded to know what they wanted. They informed him that gas was escaping in his rooms, and asked him if he didn't smell it. The Honorable M. C. replied, 'Why, I have been smelling that smell all night, and I have been waiting for the sun to rise, so I could get up, pay my bill, and leave the d—d stinking house. You say it's gas. Well, I never smelt such a smell before in my life.' The Honorable M. C. had blown the gas out when he retired, and the wonder is that the State of ——— [giving the State] is not minus a member this morning. Moral: Don't send a man to Congress who doesn't know better than to blow out the gas."

The whole story was a miserable fabrication, yet it caused much merriment among certain classes. The old M. C. was aroused beyond measure. He denounced the story as false, but kept his future intentions to himself. He ascertained quietly the name of the reporter, but it was several months before he met him; then he was pointed out by a friend, in the lobby of the Capitol, and the result was the reporter received such a chastisement that the newspaper he represented was either minus a reporter or had to employ a substitute for some time.

The next morning the old M. C. was summoned before the Police Court, confessed the assault, and was fined \$25 and costs, which he instantly paid. As he left the court hall he remarked: "Well, I am glad the thing is all over. If I hadn't thrashed that fellow I would never have gone back to my district. I don't begrudge the money I have paid, but the judges in my State don't administer justice that way."

From that moment he was a noted man. He served his people faithfully and was re-elected for a second term. He had been a soldier in the "War of the Rebellion," and many stories were told of his coolness and gallantry in action.

I have spoken of Colonel Charles E. Hooker as the most courtly member, but I should have excepted Hon. William H. F. Lee, of Virginia, son of the immortal commander of

the Army of Northern Virginia. General Lee was a very large man, much larger than his illustrious father. He was a born gentleman, and had of course been reared in an atmosphere of culture and refinement. He was a strikingly handsome man, tall, erect, and in height several inches over six feet. He was a lovable man, and the people of his district, which was immediately opposite Washington, were devoted to him. He was faithful to every duty, and to such an extent as to break down his health by overwork, causing his premature death.

He was a pleasant talker, and there was not a member on the floor who would have made a caustic reply to anything he might have said; in fact, he was so gentle and moderate in speech as never to irritate or provoke a sharp retort. He had in his district an Episcopal Seminary, from which a vast number of young ministers had walked forth to become in after years distinguished divines. The Seminary suffered severely in the destruction of, or damage to, its buildings during the war. General Lee introduced a bill to reimburse it for its losses, and the bill came up for consideration upon a favorable report; the Democrats generally favored it, but the General, fearing that the Republicans would oppose it, quietly and with dignity walked to the center of their side, and made his speech in behalf of his bill directly to them.

They listened attentively and with profound respect. Finally there came an interruption from behind him. A faint voice was heard: "Will the gentleman from Virginia yield to a question?" The General turning his head, said in the most winning manner, "Why certainly." "Was this school continued during the Rebellion?" "Yes, as far as possible. Most of the professors remained there," said the General. "For whom did those professors pray? Did they pray for the Unionists or for the Confederates?" The General's reply was instant, "I do not know; I never heard them pray, but they were saintly men, and I presume they prayed for all sinners, and left the good Lord to say who were the sinners."

The whole House applauded, the General continued his



speech to the end without further interruption, and his bill passed. He died not long after this, and many handsome tributes were paid his memory. My feelings prompt me to put within these covers a portion of my simple tribute to my dead colleague, and Virginia's lofty son.

Mr. Speaker: The illustrious father of William H. F. Lee, when the shadows of Appomattox closed round him, when the darkness of defeat enveloped him, when his soul was rent and torn and his mind was filled with anguish and his ragged and tired and worn veterans, reduced to a mere thin skirmish line, the remnant of an army that had shed unfading luster upon the American arms and the American soldier, gathered with tear-moistened cheeks about him to bid him farewell and receive his blessing, gave utterance to a sentiment just quoted by my colleague (Mr. Tucker), a sentiment as grand and noble as was ever written upon any Roman tablet or upon any column of enduring marble ever reared in the flood light of glory—

"Duty is the sublimest word in our language."

Yes, Mr. Speaker, thus spoke Robert E. Lee, the soldier, hero, Christian, and philanthropist; and when we come to study the life and character of William Henry Fitzhugh Lee we are impressed with the fact that he took duty as his talismanic word, that it was the star that guided him, and that he followed it as faithfully as the "wise men" followed "the Star" from the East to Jerusalem and thence to Bethlehem.

\* \* \* \* \*

As a representative he was as true to his constituents as any subject to his sovereign, laboring in season and out of season to serve them, and even when his strong frame began to weaken and the germs of disease had been planted in his system, he disregarded the warning calls for rest and continued to bend all his energies in the discharge of his trust, and I but speak the truth when I say that he fell a martyr to duty.

It would be unpardonable in me if I did not record my estimate of William Lyne Wilson, of West Virginia.

My friendship and attachment for him in life, and my love for his memory now that he is dead, may blind me to faults which others could detect, and yet my superior opportunities for knowing the man and observing his daily walk and conversation, and my close relations to him—so close as to hear his heartbeats and feel the throbbing of his pulse—give me an advantage over any casual or even frequent observer. I knew him first as a private in the cavalry squadron I commanded in 1862-3. He was a small, smooth-

faced and fair-haired young soldier about my own age. He was quiet, unostentatious, thoughtful and meditative. There was nothing in the life of a soldier that was congenial to his nature. He was in the Army from a sense of duty—but it was a sense so keen that he would take any chance, accept any peril, and face any danger as a volunteer and not simply when ordered. He never sought promotion; he preferred others to wear the marks of non-commissioned or commissioned officers. Duty was his guiding star and he followed it constantly in its course. When Appomattox came there were more daring records, but not one in which there was more of unselfish patriotism and fidelity to duty. He studied law and rapidly climbed the ladder of his profession. When about forty he entered Congress (we entered together), and from the day of his entrance forward he rose step by step, until the Fifty-second Congress, when he was appointed chairman of the important Committee on Ways and Means. From this committee came the bill known as "The Wilson Tariff Bill," and he closed the discussion of it to a thronged House and gallery, to the delight of the Democrats and the admiration of the Republicans. It was a great speech. Though the subject was a hackneyed one and had been worn into frazzles, he pursued new lines and by his fine choice of language and striking illustrations he gave a freshness to the old subject that drew applause every few minutes during his long effort, and when he closed and the House adjourned, a thousand congratulations, from political foes as well as friends, were showered upon him.

The vicissitudes of politics forced his retirement from the Halls of Congress, and he then entered the Cabinet of President Cleveland as Postmaster-General, which position he filled most admirably until the conclusion of Mr. Cleveland's last term. Then the trustees of Washington and Lee University displayed their foresight and wisdom in calling him to the presidency of that institution. But soon his health, which had never been robust, failed, and he passed away, rounding out his well-spent and useful life teaching the youth of the land, and filling the same chair filled by his

commander in war—Robert E. Lee. It is said "every man has his fault," and William Lyne Wilson may have had his, but if he had, my finite eye never discovered it. He died not far past middle age, but

"He who lives well, lives long."

I would stifle my feeling and fail to follow the promptings of my heart if I did not mention at least some of my immediate colleagues. Among all the State delegations there was no one more closely united than the Virginia delegation in each of the six terms of my service. Lasting ties were formed, perpetual friendships cemented.

To some of them I have already given space. Others will now receive from me the tribute my poor pen can bestow. Henry St. George Tucker inherited in an eminent degree the talent and characteristics of his distinguished father, J. Randolph Tucker. He was a fine lawyer, a fluent and magnetic speaker, always well prepared, and never failed to acquit himself handsomely in debate. He was full of spirit, never depressed, wearing at all times a smile on his face in meeting a friend. His constituents were extremely fond of him, and on the stump he had a style that inspired and animated his friends without offending or intensifying the animosity of his foes.

William A. Jones was as placid as a May morn unless aroused, when he was as turbulent as a cyclone. He was a speaker who made no attempt at oratory, but with well-chosen sentences he aimed his blows with directness and precision. He was a hard student and worker, and grew in popularity with his constituents from term to term, until all opposition disappeared, and he is now the Nestor of his delegation.

Paul C. Edmunds was a farmer, and was styled "Farmer Edmunds." He was a worker rather than a speaker, but he accomplished far more by "his still hunts" than very many with their brass bands, as he expressed it. He was endowed with an abundance of sound sense, and his judgment was sought by all of us when we were in a state of doubt or



uncertainty. He was perhaps the most popular man on the floor, and often were the rules suspended to pass a bill—simply because it was “Edmunds’s bill.” He was all jollity and kindness, and his soul was incapable of harboring revenge or bearing malice. In the midst of his usefulness he was cut down. May the grass grow green upon his grave.

Connally F. Trigg was a man of fine appearance—a striking man in any assemblage. He was a forceful speaker; bold, dashing, and aggressive. He loved the joint discussion on the stump, and the warmer it was the better he liked it. He would fight to the last ditch, and if he was ever whipped he never knew it. He was generous with all of his aggressiveness, magnanimous with all of his pugnacity. He was faithful in the discharge of his official duties, and believed that no district within the expanse of the Union could compare with the southwestern district of Virginia in the nobility of its people, its agricultural and mineral wealth—and in my opinion he was not far wrong.

Thomas Croxton was a lawyer of long standing, of great legal learning, and among the leaders of the State bar. He was a delightful companion, of elegant manners, and his language “as chaste as ice, as pure as snow.” He had been prominent in the Democratic party for many years, and was “Sir Oracle” among his people upon all political questions. Congressional life was not congenial to him, and his service was short, but long enough to impress the House with his fine ability, culture, and force of character. His recent death brought universal sorrow—to his friends, because they loved him and knew his worth; and to Virginia, because she felt she had lost a valued and loyal son.

Edward C. Venable, who was unseated in the contest against him made by the colored Republican, John M. Langston, was a gentleman of fine attainments, high culture, and lofty character. In the usual sense of the term he was not a speaker, but he was strong in conversational debate, and often have I heard him, in the cloak-room or private circle in a discussion of important questions, put *hors de combat* gentlemen with wide reputation as public speakers. If he

had retained his seat he would in a short time have become a most valuable and potential member, especially in committee councils.

Elisha E. Meredith was called suddenly from the bar, where he was enjoying the fruits of a lucrative practise, to fill a vacancy, but he instantly sprang into notice, and but for his death, which soon occurred, he would have become a prominent member. He possessed the elements which would have led to high rank in the Congressional arena.

Posey G. Lester was a Baptist minister of the "Hard-shell" branch of the church. He had been nominated by the Democrats because of his great popularity in his "Hard-shell" Republican district, and was elected by a handsome majority. He was a truly good man and carried his religion into the House with him. His religious faith dominated all other things, and never would he break the Sabbath by remaining in the House after twelve o'clock Saturday night, however important the measure or however urgent party necessity. He was a safe, faithful, and conscientious representative, and had the respect and esteem of all his Virginia colleagues, as well as all who knew his character and unflinching adherence to the path of right.

Joseph D. Brady was genial and affable, a true and constant friend, warm-hearted and generous. Though a staunch Republican, he was conservative and temperate. He possessed fine business capacity and clear judgment, and at the date of his recent death he was the Collector of Internal Revenue of the Richmond district, which position he was filling most satisfactorily to the Government and public.

James F. Epes was true to every duty. He was the very genius of energy and activity. He had a bright intellect and was the very soul of honor. He was open, frank, and ingenuous, and despised concealment, disguise, and artfulness. He was genial and warm in his nature, but with a spirit that brooked no wrong; a friend to whom you could link your all with absolute faith, but an enemy to be dreaded when he felt aggrieved. He was a lawyer and farmer and had been successful in both vocations, and in Congress he fully measured

up to the standard of a judicious and faithful representative.

George E. Bowden was a wide-awake representative and active in behalf of his constituents, whose wants were numerous during a Republican Administration, and he was exceedingly successful in securing department positions for his party friends, as he was not only a leader of his party in his State, but had the ear of the National authorities. He was an astute politician, but not so partisan in word or manner as to wound the feelings of his political foes. He is now the efficient clerk of the Circuit Court of the United States for the Eastern District of Virginia, sitting at Norfolk, and is still a light in his party.

James W. Marshall was one of the most remarkable men of the body in many respects. In his element—which was when addressing a promiscuous audience of voters in which there was a preponderance of “the horny-handed sons of toil”—he was equal to any speaker I have ever heard. His manner was absolutely unique; in fact, neither in manner, style, gesture, intonation nor voice did he pattern after anybody; he was original; he would quote Scripture, history, or poetry in his own way; he would tell a story different from the way anybody else would tell it; his voice was peculiarly his own, and when he soared upon the wings of eloquence, real eloquence, he soared differently from any orator to whom I have ever listened. I repeat, he was and is a remarkable man, for he still lives. He is a self-made man, as the term is usually used. His early opportunities were not good. He came out of the Confederate Army with a splendid record, but without a cent in his pocket and with gloom and desolation all around him, but with a courageous heart he went to work to carve out his own opportunities and he succeeded. I would be glad to depict his struggles and his victories, and hold him up as an example of what an American boy with brain and courage, will and determination can do in this land of unlimited possibilities. My poor tribute has been written with a free pen and willing heart. In conclu-

sion I will only say that his Congressional career was entirely creditable; that he was true to his trust, as he had been to every previous trust.

With the mention of another of my Virginia colleagues I must conclude my recollections of them and pass to some other subject.

The colleague to whom I refer was a young man of only thirty years of age when in 1892 he was elected to Congress by a handsome majority over his Republican opponent. He had been prominent in Democratic circles for several years, and regarded as a "coming" man. As a campaign speaker he had won encomiums and become popular in his district, especially among the young men, always a tower of strength. He succeeded George C. Cabell, of whom I have written, who had retired from active politics, and whose place as a representative was hard to fill; but it was not long before the young representative began to develop qualities that bade fair to make him not only a useful but a notable member on the floor. He was alert and active, and as industrious as any tiller of the soil who had taken hold of his plow handles with a firm grip and with a steady purpose to plow deep, sow well, and reap a rich harvest. His habits were exemplary; his study hours ran into the morning hours; he familiarized himself with the rules and details of the departments and was soon on intimate terms with their heads. He was simply indefatigable in his efforts to thoroughly equip himself for the practical part of his important trust. In the meantime he was studying matters of legislation and the rules governing the House. No idle bread did he eat; no time did he lose in frivolity or the shades of ease. My service with him was short, but not in all my service did I observe any young member, inexperienced in legislation and public affairs as he was, develop more rapidly and go to the front more quickly. He had within him the metal of a man and the spirit and determination that bring success. Without a break he has continued in Congress to the present day.

I need hardly call his name—Claude A. Swanson.

I find I have traveled far in these reminiscences without more than a bare allusion to a man who is, I think, universally regarded as ranking high among the foremost statesmen of the age. For several terms he presided as Speaker of the House of Representatives during my service in this august assemblage.

I refer to John G. Carlisle. He is surely "a heavy weight"—if I may be pardoned for using a prize-ring expression—in the arena of debate and the forum of intellectual giants. He was first elected Speaker of the Forty-eighth Congress—the Congress in which I made my first appearance. As a Speaker he will go down in history as among the most eminent.

He was just and fair to all; quick in his rulings, cool at all times, firm and inflexible. In statecraft and constitutional law he displayed a fullness unexcelled. In debate he made no effort at rhetorical flourishes, indulged in no tropes or figures, stories or anecdotes, but from beginning to ending the sparks flew around him from his blows of logic like heated metal throws off corruscations when struck by a Vulcan's hammer. In the discussion of the Morrison Tariff Bill he was called to speak in its advocacy unexpectedly. He left the chair and took his position on the floor, and without even a note before him he spoke for more than two hours to an entranced and enchained audience that packed the whole house and galleries. He followed Mr. Reed, who had spoken in opposition to the bill, and without disparagement to the effort of Mr. Reed, I simply record the truth when I declare that in comparison to Mr. Carlisle's effort Mr. Reed's speech was as a gas jet to an electric light.

In person Mr. Carlisle was tall and erect; he had a strong face, wore no beard, and his step was quick and his movements showed great energy and earnestness.

He went down politically under the tidal wave of free silver in 1896, and strange to say the people of his district, who had hitherto followed him almost with blind faith, under a sudden "passionate intuition" rebuked and rebuffed

him. Since that time he has been pursuing the practise of the law in the city of New York.

Before passing from the personnel of the House of Representatives I desire to say that during my twelve years' experience no man but a cynic or habitual fault-finder, and then not a stickler for the truth, could charge inebriety against either branch of the law-making power of our Government.

Never did I see or hear of more than three members who were perceptibly under the influence of intoxicating drink while on the floor, and they were immediately removed by friends. There is nothing easier than to make charges, and most singular it is, that some men delight in attacking public men and public bodies. A foreigner coming to this country during a heated political campaign, and knowing nothing of our public men, would think from what he heard that we selected our officials from the slums and the lowest orders of society and put the reins of government in their hands. Whenever a man is a candidate for an office, however high his character may have been, he is assailed by opposite partisans, frequently with demoniac fury, and if elected the assaults generally continue.

It is rare indeed that a candidate escapes these animadversions. A story is started usually by some reckless and irresponsible person, and it travels as fast as the wind and gathers in proportion like a snowball on a down grade; it will cover miles and increase tenfold while "Truth is getting its boots on to pursue and arrest the lie." Only recently a candidate who had reached two score and ten, and who had stood among the highest in his community, was so outrageously assailed that he said to me, "I stop and pinch myself often during the day to see if I am the man they are talking about."

Some years ago I read in the National Library a Boston paper published during Washington's second administration, in which there was a call for "the sovereign people of the Union, who had suffered so long and grievously, to rise

in their might and put down the usurper and tyrant—George Washington.”

Wholesale charges of corruption against the Executive, Legislative, and Judicial Departments of our National Government are sown broadcast without an iota of proof or a scintilla of evidence, and this is tolerated upon the ground that this is a land of free opinion and free speech.

If I were called and sworn upon The Book of all books, and asked to give the name of a single member of either House during the six terms I served in the House of Representatives of the United States whom I ever believed was a corrupt man, I could not name the man.

There is too much freedom of speech in this “land of the free and home of the brave.” Freedom of speech here is interpreted as license of speech, and license of speech has sowed the seed of anarchy and watered and fertilized the hideous plant of anarchism. It has taught, promoted, and fostered doctrines inimicable and dangerous to our republican institutions, and opened upon us a Pandora’s box of evils.

Every patriot and thoughtful citizen should hail the day when the law-making power of the Union and of the several States shall stamp out license of speech and put a wholesome limit upon freedom of speech.

The story that has often been told of the advice given by Henry Clay to a friend who was above reproach not to run for office, for all kinds of charges would be preferred against him to his great annoyance, and the report of his friend after the election, that “the rascals even went so far as to charge me with stealing a horse, and the worst of all is that they came darn nigh proving it on me,” is an apt illustration of the political ways of many people of the present generation as well as in the generation in which Clay lived.

A politician who has well-settled principles, and endeavors to promote the party which represents them and to secure the election of his party candidates by fair and honorable means, or who aspires to position in the Government,

as a representative of the principles of his party, without personal animadversion, in pursuing the lines of honor and commendable ambition, and is a citizen worthy of confidence and respect; but the politician who concerns himself with public affairs, not from patriotism or public spirit, but for his own profit, and is unscrupulous in his ways, is a man who should be excluded from the pales of public consideration for the sake of the general welfare of his community or country.



## CHAPTER XII

### ARTHUR AND HARRISON—GROVER CLEVELAND

My Impression of President Arthur—President Harrison—The South's Fear of him—I can Write Without Reserve of President Cleveland—A Mountaineer's Judgment of Him—His Pension Vetoes Justified—The Veto of the Dependent Pension Bill—The Proposition to Return Confederate Battle-Flags—Chicago Strike—Venezuela and the Monroe Doctrine.

My acquaintance with Presidents Arthur and Harrison was quite limited.

President Arthur impressed me with his amiability, courtesy, laborious habits, and strict attention to his duties. In the social circle he was delightful, and his official intercourse with Senators and Representatives was always pleasant. He was conservative in his views and had a cool and level head, and the Southern members felt assured that no morning newspaper would contain anything from him that would interrupt them in the enjoyment of their breakfast.

President Harrison was of Virginia lineage,—a grandson, so to speak, of the Old Commonwealth,—but the Virginia and Southern members generally, during the Fifty-first Congress and after his Force-Bill Message, were constantly anxious as to what would be his Southern policy. His message of December 3, 1893, had been so radical, much more extreme than the South had anticipated, and in two subsequent messages he had urged his Force-Bill views upon the attention of Congress, so that we knew he was in no amiable mood toward the South, and we felt that a weight was hanging over our heads which might descend any day. But our anxiety was relieved when we learned absolutely that no radical measure such as the Force Bill could pass the Senate.

Of course the whole country recognized in President Harrison an able, courageous, and conscientious statesman and a patriot, but the South feared him. My meetings with

him were so few and my opportunities to form conclusions as to his traits of character so poor, that I would do injustice to myself if I were to attempt to give a pen-picture of him.

Of President Cleveland I can write without reserve, for I knew him long and well. There are facts in connection with his administrations which, so far as I have ever seen or heard, have never been presented in a plain and simple manner, and I shall undertake the task.

In the way of illustration—in an uncomely way—of a striking characteristic of Mr. Cleveland I shall relate a little story. During the Presidential campaign of 1892 I was traveling in a buggy across a mountain to meet an engagement to speak at a Democratic barbecue. I overtook an old countryman on horseback, sitting on his grist, who was returning home from the mill.

I spoke to him and we got into a conversation. I asked him if the people were warming up much on politics, and how they stood between Cleveland and Harrison. He said that things were getting pretty hot, and there was right smart division, but he was for Cleveland. That from what he could hear of Cleveland "he was the boss dog in the tannery." I said, "What do you mean by that?" He replied: "The boss dog, you know, has his own way about things and takes care of the premises, and he don't let others come around fooling with him. So when we elected Cleveland before we elected him to run things to suit himself, for we didn't give him a partner, and he did run the people's business mighty well—he was the boss dog in the tannery and he is the man I think who ought to go back there." I agreed with his logic, and often during Mr. Cleveland's second administration did I recall the saying of the old countryman on the mountain side, when other people were trying to annoy and hamper the man who had been elected to "run the people's business," but who was maintaining with courage and firmness his position of "boss dog in the tannery."

This expression of the untutored countryman was homely, but it illustrated the point he was making better than the most cultured language could have done.

The people elected Grover Cleveland to be President of this Republic in 1884 and again in 1892, and for both terms he *was* President and fulfilled the trust, not only in name but in fact. He surrounded himself with able cabinet counsellors,—and with them he conferred, and great and mighty matters of state were discussed in Cabinet-meetings, and the course to be pursued determined to his satisfaction, and then all the clans and self-constituted advisers under the sun could not divert him from the line marked out. *He* was President and his mind was convinced; the responsibility was upon his shoulders with none to share it with him, and he acted upon his own judgment. If he had taken the advice of “wise men” and made a mistake the blame would have been cast upon him, and not upon the “wise men.” In matters not rising to the dignity of Cabinet matters he listened patiently to all who desired to be heard and made diligent effort to acquire all necessary information before arriving at a conclusion; but when his conclusion was reached it was hard to shake it. His energy was indomitable; his endurance surprising; his capacity for details wonderful.

He scrutinized closely every bill that was presented to him, and acquired the title of “The Veto President” by reason of his free exercise of the veto power.

He vetoed three hundred and forty-one bills during his two terms. Of these (including the Dependent Pension Bill), two hundred and fifty-seven were bills granting pensions to Federal soldiers in the War between the States,—nearly all during his first term,—and thirteen bills to erect public buildings, all in the Northern States except two.

A synopsis of a few of the pension bills that were passed will show the carelessness and recklessness with which pensions were granted.

1. A man was in the Army for two months in 1862. In 1871 he filed a claim alleging paralysis from typhoid fever contracted in 1862.

2. A soldier was granted a furlough to go home and vote. He was killed in a railroad collision on his way.

3. A soldier served out an enlistment of four months in 1861. In 1879 he filed a claim, alleging as cause of disability, diarrhea and disease of the stomach, liver, kidneys and bladder.

4. A soldier went hunting for his own pleasure or benefit, his shotgun burst and he lost three of his fingers.

5. A soldier suffered a sunstroke in 1864. In 1870 he was struck by a passing railroad train and killed. A pension was granted to his widow upon the supposition that the sunstroke six years before had suddenly so affected his mind that he wandered upon the track and was killed in a temporary fit of insanity.

6. A soldier who was at home on a furlough was injured by a fall from a wagon. He never did a day's service, and had deserted twice, but the charges of desertion had been removed to enable him to apply for a pension.

7. In 1862 a soldier was wounded in the arm and was discharged. In 1880 he died from consumption and pneumonia.

8. In 1861 a soldier enlisted and served until 1865, when he was discharged. In 1880, in leaving a barber-shop, he fell down-stairs and was killed. A pension was granted to his widow upon the allegation that he had contracted indigestion, bronchitis, nervous debility, and throat disease in the Army, which were the causes of his death.

9. A soldier was bathing in the Potomac River near Washington and was drowned. A pension was granted to his father.

10. A soldier was injured by two comrades, who were wrestling, falling upon him.

11. A soldier was killed by one of his comrades in a personal difficulty. A pension was granted to his widow.

12. In 1863 a soldier received a gun-shot wound in his knee. In 1883 he died from apoplexy and his widow was granted a pension.

13. In 1832 a man served for six weeks in the Black Hawk War. In 1884, fifty-two years thereafter, he applied for a pension upon the ground of chronic diarrhea contracted in service in the line of duty, and his bill passed.

14. A soldier was absent at his home on a parole. He took part in a 4th of July celebration and was injured.

15. A man who had never served a day, and was reported as a deserter, was found drowned in a canal near his home. A bill to pension his widow was passed.

16. A substitute who had received a large bounty served in the Army from March 25th to May 11th, 1865—part of the time in the hospital with the measles. Fifteen years after his discharge he applied for a pension, alleging that the measles had affected his eyes and also his spinal column.

17. A man on his way to enlist, but before reaching the place of enrollment and before he had become a soldier, fell into a new cellar and broke his leg.

18. A photographer, not a soldier, was engaged in taking photographs when no battle was in progress, and was in some way injured.

19. In 1879 a soldier applied for a pension, alleging he had contracted rheumatism in 1863. He conceded that he had never been attended by a physician during or after the war.

20. In 1863 a captain entered the Army, and in a year he resigned to accept a civil position. Twenty years thereafter he applied for a pension upon the ground that while he was in service he had been thrown forward on his saddle and injured. He had never been treated and no person had ever heard that he was injured.

21. A fellow re-enlisted in 1864, after being pronounced sound by the examining board. He served until the war closed. There was no record of any disability. In 1878 he alleged that "by jar to his head, from heavy firing," prior to his second enlistment, he incurred epilepsy.

22. A fellow in attempting to desert was shot in the thigh by a guard, as found by an examining board.

23. Two desperadoes had collected a gang in the mountains of a Southern State and were engaged in plundering the neighborhood. They were hunted down by home guards. Yet bills granting them pensions were passed.

24. A fellow alleged he had been shot in the leg in a skirmish. The record and testimony of witnesses developed the fact that at the time he alleged he had been shot he was in the hospital, and had been for weeks before and after, with intermittent fever and rheumatism.

25. Another started, as he alleged, to volunteer; on the way his horse fell on his ankle and injured it. He never volunteered, but was drafted, after examination, in 1863, and served without ailment until mustered out in 1865. In 1879 he applied for a pension for alleged injury in 1862.

I have taken these cases almost at random, and could multiply cases like them many times.

All of these bills were vetoed by President Cleveland in strong and pointed messages. In some of his messages, in cases of widows, he displayed the sorrow that his vetoes gave him, and his language was truly pathetic. In one he said:

I believe her case to be a pitiable one and wish I could join in her relief; but unfortunately, official duty cannot always be well done when directed solely by sympathy and charity.

In another:

It is not a pleasant thing to interfere in such a case; but we are dealing with pensions and not with gratuities.

Many of his veto messages rang out in terse and severe terms against the disposition to present unjust and unmeritorious claims for pensions. For instance in one message he closed with these words:

The allowance of this claim, in my opinion, would be a travesty upon our whole scheme of pensions, and an insult to every decent veteran.

Again:

The rejection of this claim is right, unless the Government is to be held as an insurer against every fatal casualty incurred by those who

have served in the Army, without regard to the manner of its occurrence.

Again :

It is quite evident that this affidavit was contrived to deceive, and it is feared that it is but a sample of many that are made in support of claims for pensions.

Still again :

Heedlessness and a disregard of the principle which underlies the granting of pensions is unfair to the wounded, cripple soldier who is honored in the just recognition of his Government. Such a man should never find himself side by side on the pension roll with those who have been tempted to attribute the natural ills to which humanity is heir to service in the Army. Every relaxation of principle in the granting of pensions invites applications without merit and encourages those who for gain urge honest men to become dishonest.

Thus the scrutinizing eye of President Cleveland and his faculty for details saved the treasury from many a raid and the tax-payers of our land from the payment of many an unjust claim.

Nearly all of his vetoes of pension bills were sent in during his first term. His firm position on the subject of pensions and vigorous action in arresting fraudulent claims and exposing the careless and reckless manner in which they had been reported and passed had a most salutary effect. The number of applicants and their agents and attorneys was visibly reduced in the lobbies and committee rooms. He had been looking after "the people's business," and doing it with a courage that was admirable.

But the vetoing of these special pension bills did not compare with his veto of the Dependent Bill in its far-reaching effect, and in this veto was the unfolding of the inflexible will and supreme moral courage of President Cleveland. The title of the act was "An Act for the relief of dependent parents and honorably discharged soldiers and sailors who are now disabled and dependent upon their own labor for support."

In his message of February 11, 1887, returning this bill

to the House of Representatives, wherein it originated, President Cleveland used this language:

I can not believe that the vast peaceful army of Union soldiers who, having contentedly resumed their places in the ordinary avocations of life, cherish as sacred the memory of patriotic service, or who, having been disabled by the casualties of war, justly regard the present pension roll on which appear their names as a roll of honor, desire at this time, and in the present exigency, to be confounded with those who through such a bill as this are willing to be objects of simple charity and to gain a place upon the pension roll through alleged dependence.

\* \* \* \* \*

The evil threatened by this bill is, in my opinion, such that, charged with a great responsibility in behalf of the people, I can not do otherwise than to bring to the consideration of this measure my very best efforts of thought and judgment and perform my constitutional duty in relation thereto, regardless of all consequences except such as appear to me to be related to the best and highest interests of the country.

But vigilant as was President Cleveland in guarding the Treasury against pension raids, he did not make pension matters a specialty. He was as vigilant in the discharge of all duties. Nothing escaped his eye, which was almost omniscient.

It will not be my province to enter into an enumeration of all of the most important matters that occupied the attention of President Cleveland during his two administrations. There are still some questions, however, that display in so marked a degree the traits and characteristics of the distinguished man that I cannot exclude them from these reminiscences.

There was nothing that occurred that showed his constant desire to hew to the line of right more than his course in connection with the proposed return of the captured Confederate flags stored in the War Department at Washington.

The Adjutant-General addressed a letter on the 30th of April, 1887, to the Secretary of War, Hon. William C. Endicott, suggesting the return of the Confederate flags to the authorities of the respective States in which the regiments which had borne these colors were organized, for such disposition as they might determine.



The Adjutant-General's letter was couched in the most patriotic and fraternal words. He said:

While in all the civilized nations of the world trophies in war against foreign enemies have been carefully preserved and exhibited as proud mementoes of the nation's military glories, wise and obvious reasons have always excepted from the rule evidences of past internecine troubles which by appeals to the arbitrament of the sword have disturbed the peaceful march of a people to its destiny.

Over twenty years have elapsed since the termination of the late Civil War. Many of the prominent leaders, civil and military, of the late Confederate States are now honored representatives of the people in the National Councils, or in other eminent positions, lending the aid of their talents to the wise administration of the affairs of the whole country; and the people of the several States composing the Union are now united, treading the broader road to a glorious future.

Impressed with these views, I have the honor to submit the suggestion made in this letter for the careful consideration it will receive at your hands.

The recommendation was, on May 26, 1887, approved by the President and Secretary of War. On June 7, 1887, letters were addressed to the Governors of the respective Southern States tendering the flags.

Instantly mutterings of disapproval were heard from different sections, and the right of the President to dispose of "government property" was denied.

On June 16, 1887, the President addressed a letter to the Secretary of War, revoking the order for the return of the old flags, upon the ground that the return in the manner proposed was not authorized by existing law nor justified as "an Executive act"; that their disposition should originate with Congress. Though prompted by the highest patriotic motives and the loftiest fraternal feeling, as soon as his attention was called to the fact that Congress alone could dispose of "government property" he admitted his mistake and adhered to the letter of the law.

I think it will be admitted that the objection came from souls as small as mustard seeds, or men who sought to keep alive war animosities or make political capital against the President in violent and thoughtless minds.

These old flags were rags. They had been riddled with Federal bullets as they were borne aloft by brave Confed-

erate hands, or torn into fragments by the winds, and their staffs shattered, as their folds rustled on plain and field, in dell and valley, on hill-side and mountain-slope, where American valor had shone in splendor, and the blood of Americans had dyed crimson the jackets of the gray and the jackets of the blue.

But the glorious old rags were, according to the letter of the law, "government property," and they were trophies won by brothers from brothers, in fratricidal war, and they must be held, scheduled and preserved, until disposed of in some way by a solemn Act of Congress.

But in the sunlight of advanced public sentiment the patriotic and fraternal action of the Adjutant-General, Secretary of War, and President in 1887 stands now with the stamp of approval of all true Americans upon it.

In the summer of 1894 a most dangerous condition of affairs existed in the city of Chicago. It was known as the Chicago Strike. The mails of the United States were obstructed and the destruction of government property threatened by large assemblages and combinations of armed men. Terror reigned, and law and order were put at defiance. Ordinary proceedings at law were impracticable and the city and State officials were powerless or inert.

President Cleveland, in the exercise of his constitutional power and in the discharge of his official duties, issued his proclamation admonishing all citizens not to aid, countenance, encourage, or take part in any such unlawful obstructions, combinations, assemblages, and declaring all that did not heed the admonition to be public enemies. He followed his proclamation of warning and admonition with another proclamation, declaring his purpose to protect the commerce between the States, property of the Government or under its protection, and the right of the United States to use the railroads for postal, military, naval and other government service, and to these ends he ordered United States soldiers to the scene of the trouble. The presence of the military quelled the disturbances and restored law and order.

Thus by this firm stand and vigorous action of President Cleveland the interruption of mails, interference with interstate commerce, the destruction of government property and railroad property, the shedding of blood and the deaths of innumerable human beings were prevented. The mighty mob, gathering in numbers and fury every moment, was suppressed, and the great city of Chicago saved from probable virtual destruction and ruin.

The dispute between Great Britain and Venezuela, involving the limits of British Guiana, and the firm assertion of President Cleveland that the Monroe doctrine would be maintained at all hazards, aroused the country to the point of regarding the situation as looking warlike.

Venezuela was a pygmy in strength as compared to the strength of Great Britain. The little republic would have been powerless in any contest of arms with the British Empire. The increase of the area of British Guiana was demanded of Venezuela, and without assistance the small and weak country would have been at the mercy of her powerful foe.

The President, realizing the great disparity in strength of the contending nationalities, and that if the matter was left to drift it would result in the success of might without consideration of the right of the case, determined that the forcible increase by any European power of its territorial possessions on this continent was contrary to the Monroe doctrine and the established policy of this Government, and he entered his earnest protest against the enlargement of the area of British Guiana against the rights and will of Venezuela. He insisted that the whole controversy should be submitted to and settled by friendly and impartial arbitrators, and he called upon the British Government for a definite answer to the question whether it would or would not submit the territorial controversy in its entirety to impartial arbitration.

Great Britain declined to arbitrate, and the President determined that this Government should undertake to satisfy herself as to the true boundary of British Guiana, and if

found that Great Britain's claim was not well founded, he recommended that the United States resist by every means in its power "as a wilful aggression upon its rights and interests, the appropriation by Great Britain of any lands or the exercise of governmental jurisdiction over any territory belonging to Venezuela."

He expressed regret that the friendly relations between "the two great English-speaking peoples of the world" might be ruptured, but declared that no calamity which a great nation can invite can equal that which follows a supine submission to wrong and injustice and the consequent loss of National self-respect and honor, behind which are shielded and defended a people's safety and greatness."

President Cleveland's firm and fearless stand for the enforcement of the Monroe doctrine, and resistance to the aggression of Great Britain upon what seemed to be the rights of Venezuela, was condemned by those who feared war and injury to their stocks and bonds more than they gloried in National self-respect and honor; but the chivalrous and truly patriotic of the land commended him, and were ready, if need be, to carry their country's flag and plant it on the border line of the little republic, and bid defiance to the British Lion.

But no war resulted and no complication arose. In less than a year after the vigorous message of President Cleveland, Great Britain changed her mind, and the boundary question ceased to be a bone of contention between the United States and Great Britain, for it was submitted to arbitration, and the whole matter closed by treaty.

If a weak or nerveless man had filled the Presidential chair, the Monroe doctrine would have been yielded, and the United States would have been in the position of cringing at the feet of "the Mistress of the Sea," and the name of America would have fallen in rank among the great nationalities of the earth.

## CHAPTER XIII

### BOND ISSUE—CURRENCY QUESTION

**Reason for Bond Issue—President Cleveland Denounced for it—His Opposition to Free Silver—His Personal Traits—Patronage Incidents—Secretary Lamar—Secretary Manning—A Prima Facie Case—Acrostic.**

During President Cleveland's second term, for directing the Secretary of the Treasury to issue Government bonds, he was condemned by many—some from honest views I have no doubt, but a majority, I believe, from a purpose to find fault with his Administration and to promote another issue which was rapidly coming to the front.

It seems to me that no citizen would have hurled his bolts as viciously at his head, and charged him with being in league with Wall Street and the moneyed power, as many did, if he had been fair-minded, posted and thoughtful.

Time and again he had called the attention of Congress to the depletion of the reserve necessary to maintain the credit of the Government and sustain public faith in its determination to meet its sacred obligations. Congress turned a deaf ear to all his appeals to enact necessary measures, and the depletion continued, and the anxiety and apprehension in business circles became intense. Despairing of Congressional action, in pursuance of Section 3700 of the Revised Statutes, and to preserve the credit and integrity of the Government, he directed that bonds be issued and sold to the amount of \$62,000,000, at four per cent, payable in thirty years, for the purchase of gold coin, amounting to a sum slightly in excess of \$65,000,000, to be delivered to the Treasury, which sum added to the gold in the reserve would restore the reserve to something more than \$100,000,000. A premium was paid upon the bonds, so as to cut down the rate of interest to  $3\frac{3}{4}$  per cent. per annum.

This is in brief "the terrible offense" President Cleveland committed in February, 1895. The Government received

full value for her bonds at a low rate of interest, and with the money the public credit was maintained, and the anxiety and apprehension of business circles were relieved.

Wherein was any wrong done? Was the Government injured? Was the taxpayer harmed?

Can the most bitter partisan with a microscopic eye detect any wrong, injury or harm?

Here again did President Cleveland rise to the demands of the occasion and protect the welfare of the people, who had "elected him to do their business."

Again in 1896 he was abused and denounced as a traitor to his party because he refused to endorse the free and unlimited coinage of silver at a ratio of sixteen to one, when he was nominated in 1892 with his opposition to free silver spread out in cold print and black letters before the eyes of every delegate in the National Democratic Convention. Besides, as early as December 8, 1885, he declared against the dogma in a message to Congress; again in his message of December 6, 1886, and again in his message of December 3, 1888. Every delegate in the Convention of 1892 knew his currency views from his printed declarations then, even if he had failed to read his three messages prior to that time, or if he had read them and had forgotten what he had read. He sailed under no false colors; he deceived nobody; he did not wear two faces; he did not carry water on both shoulders; he did not change jackets in the play or ride two horses in the arena. He was elected as an anti-silver President and he closed his Administration as an anti-silver President. He was "elected to do the people's business" on anti-silver principles, and he did so.

Yet, for his fidelity to his expressed convictions when he was nominated and for consistency with his long and oft-repeated views, he was assailed in 1896 with a venom that was astounding in many instances.

When he was first elected he instantly threw aside sectionalism, and became in truth the first National President the country had had for twenty-four years. He knew no section, but only "a Union composed of indestructible

States." New York was no more to him than Virginia, and Mississippi no more to him than Illinois.

He selected his Cabinet, his ambassadors, consuls and judges, and they were taken from States regardless of geographical lines.

No pent-up North contracted his vision; it ranged freely over the whole land.

Into his first Cabinet he called from the United States Senate two of the South's most distinguished sons, L. Q. C. Lamar, of Mississippi, and A. H. Garland, of Arkansas—the first to serve as Secretary of the Interior and the latter as Attorney-General.

I need not speak of the manner in which these distinguished Southerners filled their important trust. I was thrown much with Mr. Lamar, and learned to know him well. There was more patronage in his department than in any other department of the Government, and he had at his disposal a vast number of positions. He was therefore besieged daily by Democratic Senators and Representatives for places for their constituents.

From Buchanan's day the Republicans had virtually controlled all the patronage. The Democrats were naturally rapacious and very earnest in their demands. Washington was crowded with office-seekers, and for every position at the disposal of the departments there were at least twenty applicants, or as some member expressed it, "twenty stoppers for every bottle." Democratic Senators and Representatives were bending all their energies "to turn the rascals out," as many said, and fill the places with their constituents. I was in the lot, fighting with might and main for my many friends. One day I was with Secretary Lamar, almost pleading with him to favor me with some of the places in his department. He was in a cheerful and happy frame of mind (often he was moody), when Senator Butler, of South Carolina, walked in. The Secretary received him cordially and said, "Look here, Butler, you are not here after places too?" "Yes, sir," said the Senator, "that's just what I am here for, but I only want a small

place this morning. I had a darky in the war with me, and he was true, and I want you to give him some place. He is getting old." The Secretary asked the name of the darky, and wrote it in a notebook he carried in his pocket. He then resumed his conversation with me, which had been broken by the Senator's entrance.

The Senator waited a few minutes and asked the Secretary if he was going to give him the place. Mr. Lamar replied: "Butler, I had a faithful old negro in the Army with me, whose name was Sam. The night before the Battle of Chickamauga I was satisfied there would be bloody work the next day, so I sent back to the wagon-train for Sam to come to where I was. When he presented himself I said, 'Sam, there will be a big fight to-morrow and I may be killed. If I am killed I want you to come to me and take my watch and pocket-book from my person, and then get the horses and go home to your mistress. Do you understand me, Sam.' 'Yes, Marsa, I hears an' I unde'stands yo'; but, Marsa, where yo' be when yo' git kilt.' I said, 'Well, I don't know, but somewhere on the line. Just inquire for our regiment and keep on until you find me.' 'All right, Marsa,' said Sam; 'but, Marsa, hadn't yo' better gib me dat watch an' pocket-book right now? Den I will be sure to have dem an' Missus will be so much surer to git dem.' Now, Butler, you are like Sam; you are *too previous*, you want the place right away, when I will have to look around and see what I can do for you." The Senator left and so did I, but I carried away some crumbs for my constituents for which I had been laboring earnestly for weeks. As I have said, Secretary Lamar was a moody man; sometimes he was genial and delightful, and then was the time to strike him for "spoils of victory"; other times there was no softness in his eye and no music in his voice, and he was rather hard of hearing; these were the times to let him severely alone. He was a great man—great in intellect and character.

The most popular Cabinet officer was Daniel S. Manning,



Postmaster-General. He was a hard worker, and had even the smallest details of his department at his fingers ends.

He was in full sympathy with the idea of the Democrats that "to the victors belong the spoils," and it was not difficult to persuade him that James Jones, Republican postmaster at Spring Creek, should be turned out, but it was not always so easy to induce him to think that John Smith or Israel Johnson was the man to put in Jones's place; that is, he was generally ready to remove a Republican, but he was not willing to appoint just any sort of a Democrat; he would not take a man "on faith" because he had voted for Cleveland; he must be satisfied that he was getting a good man, as well as a Democrat, who would "ride through hail and brimstone" to vote the ticket.

He worked rapidly, his mind acted quickly. In a single day he appointed forty-two postmasters for me, all in about three hours. Whether any other Representative beat that record or not I never learned. In fact, I kept it quiet, for fear other members might complain, and he would go slower with me thereafter. But I made many other fine daily records. I remember on a certain occasion a member was urging the appointment of a constituent as a postmaster in a town, and had spoken of him in the most flattering terms, when Mr. Manning sent for all the papers on file. When they were brought to him, he examined them carefully and said:

"This case reminds me of the definition of a *prima facie* case given by an old fellow. He said a *prima facie* case is a good case on its face, but bad in the rear. Mr. —, you must find a better man. I can't appoint this man, he is a *prima facie* case."

Secretary Manning was a man worthy to have filled any station in this Republic, and but for his death, the result I believe of official over-work, he would have been a prominent and most probable successful Democratic candidate for Presidential honors.

Returning to Mr. Cleveland, I express the opinion that his judgment of men was most superior. Take his two

Cabinets, and there was not a Cabinet officer who did not fully measure up to the highest standard for the position to which he was called. Both Cabinets were harmonious bodies; you never heard of Cabinet clashes or divergent views in Cabinet councils. It is to be presumed that there were at times differences of views; it would have been most extraordinary if such were not the case; but they were surely reconciled and settled, for the outside world never heard of them.

President Cleveland has been most viciously assaulted. But when you scan the musty pages of the chronicler of Washington's day and find that though the most malignant assaults were made upon him, that he was charged with being an usurper and denounced as a traitor, yet for nearly a hundred years the anniversary of his birth has been celebrated and made a holiday, and the children of this land taught to revere his memory, and that from 1800, when Henry Lee, with eloquent tongue, proclaimed him to be the American who stood "first in war, first in peace, and first in the hearts of his countrymen," pens and tongues have repeated the tribute, and millions upon millions have echoed and re-echoed the sentiment, we are assured that the slanderer's tongue, though as venomous "as the worms of Nile," can inflict no permanent injury upon the true and the great.

So, while President Cleveland has been defamed, as was Washington with all his valiant military service, sincere purposes, and patriotic impulses, the millions of American citizens who regard Cleveland as the greatest living American can calmly wait for impartial history to vindicate him against every assault and hold him up, as I have said, before the world as a statesman without guile, a patriot without selfishness, a citizen true, and as a President the equal of any that has ever directed the destinies of this Republic.

Just a few words as to the personal traits of Mr. Cleveland. To a stranger he had the appearance of sternness. austerity or severity in disposition, but he was, in fact, just the reverse. He was ever thoughtful and reflective, and he did not possess that suavity and smoothness of manner

of one who can, as occasion may arise, throw off care and assume cheerfulness. He had the appearance of one who was burdened with weighty matters and felt keenly the responsibility resting upon him. I never heard him give a stern reply or stern rebuke, or saw him cast a stern glance, and if he ever did I venture to assert that he was justified.

He met every caller with a bright face and cordial handshake; the tone of his voice was soft and pleasant and he listened patiently and gave as much time to every interviewer as justice to the many waiters would permit. In these interviews he was direct. He was incapable of deception or delusion. If he made an engagement he kept it, almost to the moment fixed, whether it was with a high official or an humble citizen.

In the social circle he cast aside, as far as his nature would allow, all matters of state, and was bright, cheerful, and companionable. He enjoyed humor and was fond of a good story or anecdote. Beneath what seemed to be sternness or austerity in the discharge of his official duties was a heart as warm as the warmest, and as noble as the noblest.

As I have said, President Cleveland was hard to shake from a position which he had deliberately taken, and if he ever made you a promise he never forgot it and would surely fulfil it.

He was exceedingly kind to me, and it resulted from my securing his confidence in the early days of his Administration. He had made an appointment for me, based upon my recommendation and the representations of others which I presented.

In a day or two thereafter I ascertained that I had been deceived as to the character of the appointee, and that he was not a fit man for the place. I went immediately to the White House, and told the President frankly I had made a bad recommendation in the case mentioned. I told him that the removal of the man would bring down upon me the everlasting enmity of himself and his friends, still I must ask that the commission be recalled; that I could not have the Administration blamed for such an appointment. The

commission was instantly recalled, and after a while another appointment was made. The next time I called on him to secure an appointment he smiled and said, "I hope this fellow is not like that other fellow you presented?" I replied: "No, Mr. President. That case taught me a lesson, and you can rest assured I will never have another like it." He said: "All right. We are all liable to make mistakes, but we should rectify them as quickly as possible. You did this, and I shall be inclined to make any appointment you may recommend and hold you responsible if I make a mistake." "Very well, Mr. President," I replied. "I shall be careful, and if I make a bad mistake I shall not ask you to continue your confidence in me."

From that time forward I had plain and easy sailing in my district appointments, until I asked him to remove the postmaster at Woodstock, who was of course a Republican, and appoint a certain Democrat whom I recommended. Here I met with a rebuff. He said, "Is not Woodstock the home and post-office of Senator Riddleberger of your State?" I replied, "Yes, sir." "Then," said he, "I cannot do what you ask. There is a senatorial courtesy which I must respect." I replied, "Mr. President, the Republicans did not show such courtesy to Democratic Senators." "That may be," he said; adding, "there are many things that Republicans have done which we ought not to do." On two occasions afterwards I plead with him to remove the Republican postmaster upon the ground of "offensive partisanship," but I found him as firm as ever in his determination to let him serve out his term, as a matter of courtesy to the Virginia Senator, whose home was at Woodstock, and I abandoned my efforts, until the official's term had expired, and then I renewed my application for his removal, and it was instantly granted, and my Democratic friend and constituent was appointed in his stead.

On another occasion he refused most emphatically to make a certain important appointment when he was urged to do so with much spirit and persistency by a very prominent gentleman holding a high station. He was not satis-

fied with the fitness of the applicant for the position. The gentleman urging the appointment insisted that the President should "take his word" and require nothing more. The reply came quick: "I would be willing to take your word in most matters, but I cannot assume the responsibility of appointing this man upon your assurance as to his fitness, when I am sure your friendship has blinded you to his faults. I will not appoint him. Please be satisfied with this third refusal."

He made few promises in direct terms. If he was inclined to favor you he would probably give you reason to hope for the best. Sometimes he would break his general rule and make a promise, and then you need not trouble yourself about it or fear it might be forgotten or overlooked. He was as sure to keep it as the sparks are sure to fly heavenward.

I had a friend who was a lieutenant in the Army; he was a splendid all-round soldier and had seen much service. He was anxious to be promoted to a captaincy in the Quartermaster Department. I visited the President and gave him the record of this lieutenant, laid before him strong endorsements, and asked him to promote him. He told me he would do so.

This was about three months before the expiration of his last term. Weeks passed and no promotion came; the lieutenant became anxious and appealed to me to see the President again. I said, "No, I will not do it; rest easy, you will get your promotion."

About ten days before his retirement I was in Washington, and went to the White House to pay my respects and bid him farewell. I was admitted to the Executive Office; he stepped forward to meet me, and as he took my hand he said, "I suppose K—— has received his commission." I said, "I don't know." "Well," said he, "I reckon he has, for it was issued two days ago." Sure enough, he had, as I knew he would, remembered and kept his promise.

Recently a friend of mine, Doctor George Ross, of Richmond, a great admirer of Mr. Cleveland, repeated to me an

acrostic which he had written. At my request he gave me a copy, and as it accords so fully with my sentiments, I here insert it:

"GROVER CLEVELAND

"(An Acrostic)

"Grandly he stands—unflinching just,  
Recreant never to public trust;  
Only his duty his beacon light,  
Varying never in doing the right.  
Easily statesman, the first in his land,  
Reverently leading our patriot band.

Calm and serene a pilot at post,  
Laboring to guide his nation's great host.  
Ever keen-scanning political skies,  
Vigorously pointing out where danger lies.  
Eagerly trailing his searchlight for truth,  
Lavishly lighting the pathway of youth.  
Always his name will, on History's pages,  
Nearest the famed be all through the ages  
Declaring this truth, he belonged to the sages."

## CHAPTER XIV

### CONCLUSION

#### PRESIDENT M'KINLEY—GENERAL DANIEL MORGAN

My High Esteem of President McKinley—A National President—Spanish-American War—The Potentiality of the Words "I Object"—General Daniel Morgan of Revolutionary Fame—A Wonderful Character—An Incident of a Democratic Caucus—The Death of Representative Taulbee—A Most Unique Character—Mrs. General Custer—Some "Cranks" in Congress—Everlasting Talkers—The Effective and Influential Member—Close of My Official Life—A Proud Reflection.

My official career ended during the Administration of President McKinley. With this illustrious man I had served several terms in Congress, and though I was a Democrat and he was a Republican, and both of us firm in our respective political faiths, I admired him much and had the honor of numbering him among my cherished personal friends.

In loftiness and purity of character he was unsurpassed. In kindness and gentleness, in urbanity and polish of manner he had no superior. In the fiery partisan debates that often occurred between Northern and Southern representatives he never participated, and seemed to disapprove of them. He had a dignity that commanded universal respect. He was speaker of eloquence and power, zeal and earnestness, but never indulged in personal invective or attack. He was an uncompromising "protectionist," and became known everywhere as its leading apostle on the floor of the House of Representatives.

He was rather below medium height, stout and strongly built. His face was handsome and his eye fine, and taking him all in all he bore a striking resemblance to the pictures we have all seen of Napoleon Bonaparte in the heyday of his glory.

I met him but twice while he was President; first when Senator Daniel and I stood with him in the ample corridors of the Jefferson Hotel, in Virginia's Capital City, where he received thousands who passed forward to take his hand. This was on October 30, 1900, the occasion being the launching of the torpedo boat *Shrubrick* at the Trigg Shipyard. He was a splendid hand-shaker, a good quality with a politician, and he made a lasting impression upon the people.

The other time I met him was in the Executive Office in Washington, just as the grim visage of the Spanish-American War was making its appearance; there was a clamor for quick and decisive action, when the country was not fully prepared to strike and speedily end the trouble. It was apparent to my mind that he thought too much haste was demanded, that hostilities should not commence until everything was ready for a sharp and decisive blow. All will remember that the impatient young blood of the country thought he was rather slow, but he held back long enough "to make ready," and then he "let loose the dogs of war," and San Juan and Santiago ended the conflict, Cuba was freed, and the cruel Spanish rule which had existed for so many years, in spite of almost constant revolts and insurrections, was banished from the island, and she soon began to feel the beneficent effects of an American Protectorate. In just one hundred and three days from the declaration of war came the declaration of peace. This was surely quick enough to satisfy and gratify the most extreme young "fire-eater" who had been thirsting for gore and dreaming of glory.

In three months and a half the navy of a country had been destroyed, its forts captured, its land forces compelled to capitulate, and the country itself forced to appeal for peace, with the loss of a vast part of its territory.

In conversation with President McKinley at the Executive Office, to which I have referred, he gave evidence of the spirit that animated him in the administration of the affairs of this Government until the bullet of the miserable anarchist destroyed his noble life. He said: "Thank God we hear



no longer the words Northerner and Southerner. If the sections were not united heart and soul already, this trouble has united them. In my appointments to places in the Army, far be it from me to inquire whether an applicant comes from the North or South, or whether his antecedents are secession or Union, except so far as it may be necessary in order to apportion the appointments among the different States."

By his every act and expression from the day of his first inauguration to his sad and tragic death, his determination and purpose were clearly shown to be, in truth and not merely in name, a National President, without enmity for the South, without bias for the North. His wearing of a Confederate badge at a Confederate reunion, and his suggestion that the United States Government should make appropriations for the care of Confederate Cemeteries, showed how full was his soul with the milk, not of human kindness merely, but the spirit of fraternal love.

This was an exhibition of moral courage and superb manhood that will link his name forever with the names of the world's most courageous and manly, most generous, magnanimous, and patriotic public servants. No President from the birth of this Republic to the present hour ever grew more rapidly in the hearts and affections of the American people than did William McKinley, and when he was lying, hovering between life and death, the prayers that ascended to the Throne of Grace for his recovery from every section of this Republic were as countless as the leaves of a forest.

William McKinley was truly a National President. He had as much faith in the patriotism of the South as he had in the patriotism of the North. He would have trusted a Virginia Division to lead a forlorn hope as soon as he would have trusted a Massachusetts Division. There was not a spark of sectional feeling in his soul.

He loved the whole constellation, and one star was as dear to him as another.

He loved his American soil, and the cotton-fields of Georgia and wheat-fields of Tennessee delighted his eye with

their opening bolls and golden sheaves as much as the ore beds of Pennsylvania and the pine clusters of Maine. He loved his country's oceans, lakes, bays, and rivers, and the white sails of commerce on their bosoms filled him with pride from whatsoever clime they came, North, South, East, or West.

There are many things in my memory, not already mentioned, in connection with Congress, some of which at least I think will bear recording in these recollections of my Congressional life.

The words "I object" are most potential words under the rules of Congress, and a thousand times have I heard them ring out to the chagrin, disappointment, and sorrow of members. To take a bill from the calendar out of its order for consideration requires general consent, and the two words "I object" will prevent it and leave your bill, however important to your constituents or meritorious it may be, with perhaps a hundred or more ahead of it, and where it will not be reached during the term under the regular call.

I suffered most painfully on several occasions, but particularly three times in relation to a particular bill. It was a bill to preserve and mark the grave of General Daniel Morgan, of Revolutionary fame, the hero of the Cowpens, January 17, 1781, who had marched with his riflemen from the Valley of Virginia to the Commons of Boston, six hundred miles in three weeks, in the dead of winter; to whom Congress had voted a gold medal; whose figure in his hunting shirt has been preserved on canvas in the grand painting representing the surrender of Burgoyne at Saratoga, October 17, 1777, hanging in the Capitol of the Nation; who had risen from the position of wagoner on the expedition to Fort Duquesne to that of a brigadier-general.

He died on the 6th day of July, 1802, at the age of sixty-six years, after serving two years in Congress, and was buried in the Presbyterian Church-yard at Winchester, Virginia. When I was less than ten years of age my grandmother, who as a girl had attended the funeral, took me to his grave, and standing over it told me of his great services

to his country, of the funeral procession, the measured tread and sad faces of his comrades, the fife and muffled drum, and the volley that was fired as the clods filled the open grave. This made a lasting impression upon me, and there was no bill of its character on the calendar in which I felt an interest near so deep. I secured several favorable reports from the committee, but never early enough in a session to get it sufficiently high on the calendar to be reached on the regular call, and three times did the words "I object" prevent its consideration out of order.

I had my heart set upon its passage; every emotion of my soul was aroused in its behalf. I had carefully studied the hero's life and character and it was like a romance to me.

When about seventeen years of age he came from either Pennsylvania or New Jersey, the latter State I think, to Frederick County, Virginia, and engaged himself as a land grubber, then as a sawyer, and then he went to work as a wagoner on his own account. He was rather a pugnacious fellow and an athlete, and engaged frequently in broils and fisticuffs, and with one exception was always the victor. At that time Berryville, the present county-seat of Clarke County, was called Battletown, and it derived its name from the number of fistic battles that occurred there on every "law day," a day set apart in each month for the trial of small law suits. Morgan would attend these trials, and almost invariably he would have "a scrap" before leaving for home. On one of these occasions he was badly worsted by a powerful young fellow from the Blue Ridge Mountains; reaching home very much mortified over his defeat, his wife, who was a lady of culture and refinement, upbraided him severely, as she had done before, for his "rowdyism," and begged him for her sake to change his ways. He promised her solemnly he would do so, after he had whipped the young mountaineer. When the next law day came he told his wife he could not succeed in his coming combat, with his long hair, and asked her to clip it short.

His wife admired his long flowing locks and declined to clip them, but told him she would "fix" his hair for him, and this she proceeded to do. She dexterously wove pins and needles all through his hair, and he left for Battletown, where he found his antagonist ready and waiting for him.

He returned that evening a victor and a happy man. His wife's ingenuity had won the fight for him. He kept his promise to his wife and never engaged in another fistic encounter at Battletown.

General Morgan owned two fine farms in Clarke County at his death, upon which, during the war, he had erected two handsome dwellings of native limestone, with the labor of Hessian prisoners, one situated near Berryville, which he called "Soldiers' Rest," and the other near Millwood, which he called "Saratoga." These two houses are still standing, bearing the names Morgan gave them, well preserved, and the former is the residence of Powell Page, Esq., and the latter the home of Edward C. Barnett, Esq., and at each old Virginia hospitality is dispensed with lavish hand.

Some years ago, when the old Presbyterian Church and fence had crumbled and fallen and were only limestone piles, several thoughtful and patriotic citizens of Winchester removed the remains of this hero to the City Cemetery, and they now rest there amidst its beautiful bowers, cared for by gentle hands.

I most sincerely trust some future representative of my old Congressional district will succeed in inducing the Government to erect a monument over the grave of this distinguished soldier and patriot, who did so much in our struggle for independence, and received the thanks of his country and the plaudits of Washington.

The Committee on Claims was greatly taxed with what were termed "Loyal Claim Bills"; they were bills presented by Southern men declaring their loyalty to the Union during the war, and seeking payment for losses they had sustained at the hands of Federal troops.

The vast majority of these claims were fraudulent; many of the claimants had voted for secession, carried banners

and huzzahed in secession processions. They sought to meet this evidence by declaring they were afraid not to vote for secession or be demonstrative on public occasions. Others had never uttered, so far as known, a Union sentiment during the war; they had given of their substance without coercion for the support of the "rebellion," and had been regarded by their communities as true to the cause of the Confederacy. To the credit of the committee let it be said that all such claimants were sent away empty-handed.

There was a class whose claims were more or less meritorious. I refer to the German Baptists, or Tunkers. These people were non-combatants, they were opposed to war and opposed to a division of the Union; they refrained from voting on the ordinance of secession and were as near Unionists and as loyal to the Union as circumstances would permit. Quite a number of their claims were paid.

Upon the whole the Treasury was well guarded against the raids of so-called Southern Unionists. But it was surprising how many who had been regarded during the War as true to the Confederacy as the truest, developed into Union men when the bill passed allowing Southern Union men to present their claims for consideration. While I say the number was surprising, they were, comparatively speaking, very few—not greater than a few imperfect grains in a bushel of seed corn.

Members of Congress are but men after all, and they have the impulses of men.

In a Democratic caucus held to nominate candidates for the various offices of the House I was an eye-witness to a little rough-and-tumble encounter between two prominent members that would have brought applause in any gathering of "the manly art." The gentlemen were the respective leaders of two opposing candidates, and had worked themselves up to the fighting point. One, whom I shall call Mr. C., had put his man in nomination in a spirited speech; the other, whom I shall designate as Mr. D., was placing his candidate before the caucus, speaking with great deliberation, and said, "The gentleman who has preceded me said

that which was dis-hon-or-a-ble—" Instantly Mr. C., who was sitting close to where Mr. D. was speaking, sprang from his seat and rushed at Mr. D. They clinched, and before they could be separated the face of each showed marks of blows and was bleeding.

They were taken to different toilet-rooms, but quickly returned to the floor, and instantly rushed into each other's arms. An explanation had been made, satisfactory to both, and the *casus belli* removed. The encounter had resulted from Mr. D.'s deliberate mode of speaking; he had not finished his sentence—he had intended to say that "the gentleman who has preceded me has said that which was dis-hon-or-a-ble to me." Mr. C. thought Mr. D. meant that he, Mr. C., had made some dishonorable statement in his speech.

The death of Representative Taulbee, of Kentucky, at the hands of a newspaper reporter, also a Kentuckian, which attracted so much attention at the time, was the result of a feud which grew out of a violent attack made upon Taulbee by the reporter.

Taulbee was a tall, athletic, wiry man of about forty. The reporter was by no means his equal physically, and Taulbee had refrained from making a direct assault upon him, but on several occasions he had undertaken to humiliate his opponent. Whether stung to desperation by Taulbee's course or instigated by fear of him, I know not, the reporter armed himself with a pistol, and meeting Taulbee on the steps leading down to the restaurant of the House of Representatives, without the slightest warning to him or knowledge upon his part that his enemy was near, the reporter shot him, inflicting a wound from which death ensued in a few days. The reporter was tried, and after a protracted hearing was acquitted by the jury. The verdict was condemned by many, while others sustained it. Taulbee was a man of fine ability and a fluent and attractive speaker.

A most unique character was Honorable James B. Belford, of Colorado. His most admiring friends would not say he was a handsome or prepossessing man in person or manner. He had fire-red hair, scrubby red beard, and shuf-

fling gait, and on the street would have been taken any time for a recently-landed son of the Emerald Isle, from Tipperary, inviting any man to knock the chip off his hat or step on his coat-tail. But he was as genial as a sunbeam, full of humor, quick at pleasant repartee, a splendid speaker, and a man of fine ability. He had been raised a Democrat in Pennsylvania, but embraced Republicanism when, as he said, "he got from under his father's wing, and got his eyes open." He had been a gallant Union soldier, and after making a trip to the Fredericksburg Battle-field he introduced a bill to appropriate \$100,000 to build a Confederate Soldier's Home at the "Old Burg." He prepared a speech in support of his bill, but was never able to secure an opportunity to deliver it.

He said in my presence, during a session of the House, after he had returned from a trip to Fredericksburg: "Well, I am just from Fredericksburg, Spottsylvania and the Wilderness. I was never as royally treated in my life as I was by those Virginians over there. Just think, that I was trying to kill such people for four years, and they were trying to kill me—both of us thinking we were doing God service. But all that sort of feeling has left me. Now I want to say to my Republican friends that I have waved the bloody-shirt many a time, but from this time on I am no bloody-shirt waver. We must win our battles some other way, so far as I am concerned. I'm done waving, sure."

He was a general favorite, and his retirement caused universal regret. I hope he is still living, for he was a splendid type of manhood.

The heavy pensions that were granted to the widows of Federal officers was opposed by many of us. I always thought that the pension granted to an officer's widow was too great in comparison with the pension awarded to the widow of a private soldier, and voted uniformly against very large pensions to the widows of distinguished officers.

But there was one bill of this nature which I determined not to oppose. It was caused by my supreme admiration for the dead officer and the personality and magnetism of

his widow. Judge Chipman, of Michigan, invited me one evening to go with him to the Member's gallery and meet a lady, who was a warm friend of his, and as he said, "among the most charming women on the Continent." I went with him, and to my utter surprise but infinite pleasure he introduced me to Mrs. General Custer. After remaining for a few minutes, the Judge excused himself and left me with Mrs. Custer.

Never in my life was I more charmed than I was with the vivacity and personality of this little lady. I drew her gradually into a conversation about her army life, and finally about her lamented soldier husband. She gave me a minute account of his last battle, his courage and death, and the cruelty and brutality of Sitting Bull and his band of Indians. With her eyes filling with tears she pictured the scene in a manner no tongue on earth could have equaled.

I remained with her as long as propriety, upon so short an acquaintance, would allow, and when I bade her good-bye it was with a fixed mental resolution that I would cast consistency to the winds, break my rule, and not vote against her bill for an increased pension, which was pending. I adhered to my resolution. I determined to make an exception of the widow of he who rode to death on a field where no comrade was left to tell the tale, no human being to carry the tidings of his last charge, except an Indian scout, who, with a Sioux blanket wrapped about him, succeeded in escaping. But Mrs. Custer's information had not been obtained simply from this Indian scout, but from Sioux braves who had been engaged in the massacre.

I have said, Congress is a body of might in intellect and superb in the personnel of its members, but it is rarely entirely free from "cranks" or accidental men, and occasionally cranky bills find their way into the committee rooms. I recall a bill introduced by a member who was neither a Democrat nor a Republican, but had been elected from a section which abounded at the time in new and strange doctrines and isms. It was entitled a bill "To create the United States of the World." He proposed that all kingdoms and



principalities should constitute one mighty Republic; that the United States should absorb all the land and waters and peoples of the known globe, and become "the United States of the World." He seemed to regard this country as "a pent-up Utica," and as an expansionist he would overshadow the most expansive expansionist of the present day. The acquisition of the Philippines with its 1,200 islands and its area of 112,500 square miles is but as a drop in a bucket as compared with the expansion suggested by the bill to which I have referred.

It is needless for me to say that this bill, with its high-sounding title, was instantly laid away with the mass of dead and embalmed measures, the accumulation of all the Congresses from the organization of the Republic.

In every Congress there are members who are everlasting talkers. Whatever may be the subject, they must get their views in the Record "by hook or crook." If they can secure the floor for five minutes or less they will ask permission to extend their remarks in the Record, and their five-minute speeches on the floor will blaze out into hour speeches in the Congressional Record, punctuated all through with "applause," and these publications will go forth to their constituents as lengthy and telling efforts upon the part of their ready and able representatives. I recall several members who were constantly making five-minute speeches on the floor, and then in a few days their elaborations would cover several pages of the Record. I always regarded the custom as little less than a fraud, which should be suppressed. There are instances when it should be tolerated, but they are rare, and then it should be noted that the speeches were never in fact delivered. They should appear rather as essays than as speeches.

There are also incessant, really long-winded speeches by some members; they never attend a committee meeting, but occupy their whole time in preparing speeches. They are anxious to keep their names before the people, and they do it daily through the columns of the Record, which costs them nothing. During the effort of one of these leather-

lunged and long-winded gentlemen, with the galleries asleep, when nearly all the members had retired to the cloak-rooms, the Speaker of the House looking like he was doing penance, or bearing it all with Job-like patience, I was in my seat, and turning around I said to Hon. S. S. Cox, who sat just at my back, "Mr. Cox, what is the difference between notoriety and fame?" Instantly he replied, "The same difference there is between swill and pure water." Then, with a twinkle in his eye, he turned his head in the direction of the speaker, and said, "Isn't all that swilly?"

Let no constituency flatter themselves with the idea that because their Representative's name is appearing frequently in the press and he is making a speech on subject after subject, that he is setting the woods on fire with his burning words, or charming multitudes with his flaming eloquence, or driving the steel home with his blows of logic, or writing his name in the niche of fame, or serving his constituency with efficiency. Such representatives are neither the giants nor effective men of the House; they become "as sounding brass and a tinkling cymbal," and the House tolerates them because it cannot help itself.

The effective and influential member is he who is a faithful attendant upon the meetings of his committee, who makes its work a specialty, studies it well, and is prepared to discuss his committee matters intelligently and forcefully; who takes up other subjects when he can do so without neglecting his special work, who knows when to talk and when to stop, who attends strictly to the demands of his constituents in the departments, and does not consume the time that should be given in this direction in preparing speeches, so that notice of him may appear in the next morning's press.

Everlasting speech-making has done more to relegate members to the shades of private life than any one thing, excepting intemperance or dissolute habits. I knew members who never answered a letter, never attended a committee meeting, never visited a department, but were daily on the floor speaking. The Congressional lives of such men were

usually short; their constituents wanted less talk and more work. They seemed to be unable to condense or speak succinctly on any subject, but "drew out the thread of their verbosity finer than the staple of their argument."

But nothing that I have said must be regarded as a modification of the high estimate I have previously placed upon the Congress of the United States in these memoirs. Most of the members whom I have just mentioned were far more than mediocre men; they simply lacked judgment, made mistakes, misconceived the true line of a Representative, and while seeking fame they only gained short-lived notoriety.

There was one member with whom I served who appeared to be congenitally and constitutionally the most irritable and ill-tempered human being I have ever seen in high station. He had most peculiar views, and if you disagreed with them he would become as irritable and snappish as a hyena, and if you agreed with him he would swear that you were an ape and had no views of your own. He was among the very few who made me wonder how he ever made his way into the halls of Congress. His people did not repeat their folly at the succeeding election.

My official life ended at the close of my gubernatorial term of four years, January first, 1898. I had served three years of a term of six years, as a court clerk, elected when a boy. I had served two years in the legislature, six years as judge, twelve years as a member of Congress, and four years as Governor of my native State, aggregating twenty-seven years of almost continuous service. My friends had been most successful in bringing me victories in my numerous contests, and to them I owe a debt of gratitude I can never discharge. All of these positions, except the judgeship, came to me directly from the people and by the ballot-box,

"A weapon that comes down as still  
As snowflakes fall upon the sod;  
But executes a free man's will  
As lightning does the will of God."

I have the proud reflection that will go with me through the remainder of my days, that not even my bitterest foe, political or personal, ever laid a charge at my door of neglect of duty or the wilful doing of an improper act. It is human to err, and in some instances, with the lights before me and no time for inquiry, my acts were different from what they would have been if facts subsequently developed had been before me.

My refusal to espouse the cause of free silver in 1896 and 1900 relegated me to the shades of private life. For my course I have no regrets, except the regret I experienced at the time, of being compelled "to part company" with so many of my political friends with whom I had been closely allied in many a fierce political battle. The eight years that have intervened since I declined to vote the ticket of the party whose real principles were next to my religious faith have wrought a mighty change, and I rejoice that my position of 1896 is the Democratic position of 1904.

When Appomattox sealed the doom of the Confederacy I took my parole and kept it. Quickly after the surrender of the spotless Lee and "grim-visaged war had smoothed his wrinkled brow," while still cherishing the deeds and memories of the cause for which I had fought until the last war note had passed away, I renewed my allegiance to my reunited land, and henceforward endeavored by precept and example to add my mite to the growing spirit of fraternal unionism. And now while I love my State with all the devotion of a true and loyal son, I look with love and pride upon the flag, wherever it floats, as the emblem of Americanism.









3 2044 009 897 414





